

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes

Notes

	General		
1.	I have a disclosable pecuniary interest.	<input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 below</i>
2.	I have a non-pecuniary interest.	<input type="checkbox"/>	<i>You may speak and vote</i>
3.	I have a pecuniary interest because it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest or it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest	<input type="checkbox"/> <input type="checkbox"/>	<i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i> <i>You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below</i>
4.	I have a disclosable pecuniary interest (Dispensation 16/7/12) or a pecuniary interest but it relates to the functions of my Council in respect of: (i) Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease. (ii) school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends. (iii) Statutory sick pay where I am in receipt or entitled to receipt of such pay. (iv) An allowance, payment or indemnity given to Members (v) Any ceremonial honour given to Members (vi) Setting Council tax or a precept under the LGFA 1992	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i> <i>You may speak and vote</i>
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 20/2/13 – 19/2/17)	<input type="checkbox"/>	<i>See the terms of the dispensation</i>
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose	<input type="checkbox"/>	<i>You may speak but must leave the room once you have finished and cannot vote</i>

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Employment, office, trade, profession or vocation

Sponsorship

Prescribed description

Any employment, office, trade, profession or vocation carried on for profit or gain.

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.

	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
- (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

CABINET**HELD: 13 JANUARY 2015**

Start: 7.30pm

Finish: 8.05pm

PRESENT:

Councillor: D Westley (Leader of the Council, in the Chair)

Portfolio

Councillors:	M Forshaw	Planning and Development
	D Griffiths	Town and Village Centres
	Mrs J Houlgrave	Housing and Transformation
	D Sudworth	Health, Leisure and Community Safety
	D Whittington	Resources

In attendance: Councillor Dereli
CouncillorsOfficers:
Managing Director (People and Places) (Mrs G Rowe)
Managing Director (Transformation) (Ms K Webber)
Assistant Director Housing & Regeneration (Mr B Livermore)
Assistant Director Community Services (Mr D Tilleray)
Assistant Director Planning (Mr J Harrison)
Borough Treasurer (Mr M Taylor)
Transformation Manager (Mr S Walsh)
Deputy Assistant Director Housing & Regeneration (Mr I Gill)
Strategic Planning & Implementation Manager (Mr P Richards)
Principal Member Services Officer (Mrs S Griffiths)**54. APOLOGIES**

Apologies for absence were received on behalf of Councillor P Greenall.

55. SPECIAL URGENCY (RULE 16 ACCESS TO INFORMATION PROCEDURE RULES)/URGENT BUSINESS

There were no items of special urgency.

56. DECLARATIONS OF INTEREST

- 1) Councillor Westley declared a non-pecuniary interest in agenda items 5(g) (Draft Ormskirk Town Centre Strategy) and 5(n) (Towards a Combined Authority for Lancashire) in view of his membership of Lancashire County Council and agenda item 5(b) (Funding of Voluntary & Other Organisations Working Group) due to a family member undertaking voluntary duties on behalf of Victim Support Lancashire.
- 2) Councillor Griffiths declared a non-pecuniary interest in agenda item 5(d) (Ormskirk Town Centre Car Parks) as a business owner in Ormskirk.

- 3) Councillor Whittington declared a non-pecuniary interest in agenda item 5(b) (Funding of Voluntary & Other Organisations Working Group) due to his wife being a Trustee Member of Lancashire West Citizens Advice Bureau.

57. MINUTES

RESOLVED That the minutes of the Cabinet meeting held on 11 November 2014 be approved as a correct record and signed by the Leader.

58. MATTERS REQUIRING DECISIONS

Consideration was given to the reports relating to the following matters requiring decisions as contained on pages 2395 – 3005 of the Book of Reports.

59. 192-198 ENNERDALE, SKELMERSDALE (FORMER TANHOUSE OFFICE)

Councillor Mrs. Houlgrave introduced the report of the Assistant Director Housing and Regeneration which considered an approach for the future use of 192 to 198 Ennerdale, Tanhouse, Skelmersdale.

Minute no. 23 of the Landlord Services Committee (Cabinet Working Group) held on 8 January 2015 was circulated at the meeting.

A motion from Councillor Mrs Houlgrave was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group), the motion from Councillor Mrs. Houlgrave and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That this item be deferred in order to offer an opportunity for the Tanhouse Community Enterprise Board to develop a detailed business plan for the future use of 192 - 198 Ennerdale, Tanhouse, Skelmersdale.
 - B. That the Assistant Director Housing and Regeneration report to the June Cabinet meeting on the future use of 192 – 198 Ennerdale, Tanhouse. The report to include an evaluation of the business plan submitted on behalf of the Tanhouse Community Enterprise Board.

60. FUNDING OF VOLUNTARY & OTHER ORGANISATIONS WORKING GROUP

Councillor Sudworth introduced the report of the Transformation Manager which advised on recommendations of the Funding of Voluntary and Other Organisations Working Group in relation to the monitoring/evaluation of submissions received from the voluntary organisations in receipt of revenue funding and an application for further funding received from the Lancashire West Citizens Advice Bureau.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED A. That the recommendations arising from the monitoring and evaluation of the Service Level Agreements by the Funding of Voluntary and Other Organisations Cabinet Working Group at its meeting on 16 December 2014 be endorsed as detailed in the minutes of the meeting attached at Appendix 3.
- B. That funding be made available to the Lancashire West Citizens Advice Bureau of £48,425 per annum from 2015 in principle and determined when the budget is set on 25 February 2015, this funding being subject to a one year Grant Agreement.

61. YEW TREE FARM FINAL MASTERPLAN ADOPTION

Councillor Forshaw introduced the report of the Assistant Director Planning which sought approval for the adoption of the Yew Tree Farm Masterplan.

A supplementary paper outlining the original submission by a respondent to the consultation on the Draft Yew Tree Farm Masterplan SPD was circulated at the meeting, together with an addendum to Appendix A and a late information report from the Assistant Director Planning.

Councillor Forshaw referred to the need for flexibility within the local plan period and proposed that a further 10% of land be released for residential development in order to provide for that flexibility in the delivery of new housing on the site.

A motion from Councillor Forshaw was circulated at the meeting together with a revised safeguarded plan.

In reaching the decision below, Cabinet considered the supplementary paper, the addendum to Appendix A, the late information report, the comments of Councillor Forshaw and the motion circulated by Councillor Forshaw together with the revised Safeguarded Plan, and the details set out in the report before it and accepted the reasons contained therein as raised by Councillor Forshaw above.

- RESOLVED A. That the contents of the Yew Tree Farm Draft Masterplan Consultation Feedback Report set out at Appendix A of this report be noted.
- B. That the Adoption Statement at Appendix C be approved and the Yew Tree Farm Masterplan SPD at Appendix B be adopted, subject to
- (i) the Plan marked "Revised Safeguarded Plan", now circulated, replacing the "Safeguarded Plan" on page 39 of the Final Masterplan SPD; and
 - (ii) any necessary corresponding amendments to plans and text in the rest of the Final Masterplan SPD as a result of that change to the "Safeguarded Plan".
 - (iii) any amendments made by the Assistant Director Planning in consultation with the Portfolio Holder, following consideration of the Masterplan SPD by Planning Committee and Executive

Overview and Scrutiny Committee, as per recommendation C. below;

- C. That the Assistant Director Planning be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Yew Tree Farm Masterplan document, in the light of agreed comments from Planning Committee and Executive Overview and Scrutiny Committee, and any minor amendments, before the document is published.
- D. That call-in is not appropriate for this item as the report is being submitted to Executive Overview and Scrutiny Committee on 29 January 2015.

62. ORMSKIRK TOWN CENTRE CAR PARKS

Councillor Forshaw introduced the report of the Assistant Director Community Services which reviewed the current car parking arrangements and charging on the Ormskirk town centre pay and display car parks.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That an amendment be made to the West Lancashire Borough Council (Off Street Parking Places) (Consolidation) and Revocation Order 2011 to:
 - a) Change the length of time that vehicles can park on the short stay Ormskirk town centre car parks known as Lunesdale, Bus Station, Market Way and Park Road (rear of Tesco's)
 - b) Permit free parking on the 52 Derby Street car park on Saturdays, for up to 4 hours.
 - c) Revoke that part of the Order referred to in paragraph 4.7 of the report.
 - B. That the matter of pay on exit parking continue to be investigated and the findings be reported back as part of the implementation of the Ormskirk Town Centre Strategy.

63. QUARTERLY PERFORMANCE INDICATORS Q2 2014-15

Councillor Whittington introduced the report of the Transformation Manager which presented performance monitoring data for the quarter ended 30 September 2014.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Council's performance against the indicator set for the quarter ended 30 September 2014 be noted.
 - B. That the call-in procedure is not appropriate for this item as the report is being submitted to the next meeting of the Corporate & Environmental Overview & Scrutiny Committee on 19 February 2015.

64. DRAFT WEST LANCASHIRE ECONOMIC DEVELOPMENT STRATEGY 2015-2025

Councillor Westley introduced the report of the Assistant Director Housing and Regeneration which sought agreement of the draft West Lancashire Economic Development Strategy 2015-2025 for public consultation.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the draft West Lancashire Economic Development Strategy (Appendix A) be approved for consultation from 14 January to 25 February 2015 after having had regard to the comments of the Executive Overview and Scrutiny Committee.
 - B. That delegated authority be given to the Assistant Director Housing and Regeneration to make minor amendments to the Strategy to correct typographical or factual errors, prior to it going out to public consultation.
 - C. That call-in is not appropriate for this item as this report has already been considered by the Executive Overview and Scrutiny Committee on 27 November 2014.

65. DRAFT ORMSKIRK TOWN CENTRE STRATEGY

Councillor Griffiths introduced the report of the Assistant Director Housing and Regeneration which sought agreement of the draft Ormskirk Town Centre Strategy for public consultation.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the draft Ormskirk Town Centre Strategy (Appendix A) be approved for consultation from 14 January to 14 April 2015, having had regard to the agreed comments of the Executive Overview and Scrutiny Committee.
 - B. That delegated authority be given to the Assistant Director Housing and Regeneration to make minor amendments to the Strategy to correct typographical or factual errors, prior to it going out to public

consultation.

- C. That call-in is not appropriate for this item as this report has already been considered by the Executive Overview and Scrutiny Committee on 27 November 2014

66. MOOR STREET IMPROVEMENT WORKS

Councillor Forshaw introduced the report of the Assistant Director Community Services which provided an update on the progress of the Moor Street Environmental Improvement scheme.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

RESOLVED That the current position be noted and endorsed.

67. MEDIUM TERM GRA CAPITAL PROGRAMME

Councillor Whittington introduced the report of the Borough Treasurer which set out a number of options for determining the medium term capital programme.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the medium term financial position be noted.
- B. That the Portfolio Holder for Resources be given delegated authority to submit firm proposals to Council on 25th February 2015 to enable the capital programme to be set.
- C. That call-in is not appropriate for this item as it is to be submitted to the Executive Overview and Scrutiny Committee on 29th January 2015.

68. HOUSING ACCOUNT - REVENUE AND CAPITAL PROGRAMME

Councillor Mrs Houlgrave introduced the report of the Assistant Director Housing and Regeneration which provided a summary of the budget position for the Housing Account for the next financial year.

Minute no. 24 of the Landlord Services Committee (Cabinet Working Group) was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the financial position for 2015-16 be noted.
 - B. That the use of the Assistant Director Housing and Regeneration's delegated authority in relation to rent and service charge increases be noted.
 - C. That the report be used for consultation purposes prior to the Council considering this matter in February 2015.
 - D. That the Housing and Transformation Portfolio Holder be given delegated authority to submit firm proposals to Council on 25 February 2015 to enable the budget to be set.
 - E. That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29 January 2015.

69. GENERAL REVENUE ACCOUNT BUDGET 2015-16

Councillor Whittington introduced the report of the Borough Treasurer which provided a summary of the current General Revenue Account budget position.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the financial position for 2015-16 and later years be noted.
 - B. That the Portfolio Holder for Resources be given delegated authority to submit firm proposals to Council on 25th February 2015 to enable the budget to be set.
 - C. That call-in is not appropriate for this item as it is to be submitted to the next meeting of the Executive Overview and Scrutiny Committee on 29th January 2015.

70. ELECTRONIC CIGARETTE USE AND SMOKING POLICIES

Councillor Mrs Houlgrave introduced the joint report of the Assistant Director Community Services and Transformation Manager which proposed the introduction of a policy to restrict the use of electronic cigarettes and to update the Smoking Policy for Council Buildings, including communal areas in Sheltered Housing Schemes.

Minute no. 25 of the Landlord Services Committee (Cabinet Working Group) held on 8 January 2015 was circulated at the meeting.

In reaching the decision below, Cabinet considered the minute of the Landlord Services Committee (Cabinet Working Group) and the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- That the introduction of the E-Cigarette Use Policy at Appendix (ii) and the updated Smoking Policy at Appendix (iii), be approved.

71. REDRESS SCHEMES FOR LETTINGS AGENCY WORK AND PROPERTY MANAGEMENT WORK

Councillor Sudworth introduced the report of the Assistant Director Community Services which advised of the enforcement powers provided to the Council by the Redress Scheme for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Assistant Director Community Services be given delegated authority to carry out enforcement action under the Order.
 - B. That the Enterprise and Regulatory Reform Act 2013 be included in the Acts listed in the Scheme of Delegation to Chief Officers under 4.2D (Assistant Director Community Services).
 - C. That the monetary penalty for failure to comply be set at £5,000, with the discretion to impose a lesser penalty where there are extenuating circumstances.

72. TOWARDS A COMBINED AUTHORITY FOR LANCASHIRE

Councillor Westley introduced the report of the Managing Directors which provided an update on discussions on collaborative working, and sought authority to participate in ongoing discussions and negotiations in respect of a Combined Authority for Lancashire including a review of Governance Arrangements.

In reaching the decision below, Cabinet considered the details set out in the report before it and accepted the reasons contained therein.

- RESOLVED
- A. That the Options Paper at Appendix 1 and draft timetable at Appendix 2 be noted.
 - B. That authority be delegated to the Leader and Managing Directors (as appropriate) to represent the Council in discussions and negotiations, in relation to the possible establishment of a Combined Authority for Lancashire and to participate in a review of Governance Arrangements.

LEADER

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AGENDA ITEM: 5(a)

CABINET: 17 March 2015

Report of: Borough Solicitor / Transformation Manager

Relevant Managing Director: Managing Directors

Relevant Portfolio Holder: Councillor D Westley / D Whittington

**Contact for further information: Mrs K Warmington (Extn. 5051)
(E-mail: karen.warmington@westlancs.gov.uk)**

SUBJECT: ORGANISATIONAL RE-ENGINEERING – LEGAL AND MEMBER SERVICES

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider the findings and recommendations for savings and service improvements contained within the attached “Organisational Re-Engineering (OR) review of Legal and Member Services Report” (OR Report) prepared by CPC Project Services LLP (see Appendix 1).

2.0 RECOMMENDATIONS TO CABINET

2.1 That the OR Report at Appendix 1 be noted and staff thanked for their participation.

2.2 That the recommendations set out in Paragraph 1.15.1 ‘Member Services’ and 1.15.2 ‘Legal Services’ of the OR Report at Appendix 1 be implemented by the Borough Solicitor as set out in the Action/Comments Columns of Appendices 2, 3A and 3B respectively, subject to 2.3 and 2.4 below.

2.3 That to enable implementation of the recommendations referred to in 2.2 above: (a) the short term post of “Practice Administrator” be created at PO3 for a period of two years, and (b) a sum of £65,000 in relation to implementation of Modern Gov, the development of Iken, and Iken training be provided, those costs to be met from the Major Projects Reserve, with any further resources being subject to the preparation of a business case and approval through the usual processes.

2.4 That the use of Kalamazoo paper for minutes be continued.

3.0 BACKGROUND

- 3.1 Following a mini tender exercise CPC Project Services LLP (CPC) were chosen from the OR (Efficiency Reviews) Framework as Consultants to conduct an OR review in Legal and Member Services. CPC's brief was to conduct an OR Review and make appropriate recommendations to ensure that the services operate in the most efficient, effective and economic manner. Full details of the brief are set out in the OR Report.
- 3.2 20% of the Council's OR Managers time was allocated to oversee this review, including acting as a point of reference for the consultants; the cost of this was funded from the General Revenue Account. The remaining 80% of the OR Manager's time was funded from the Housing Revenue Account to allow the OR Manager to conduct reviews within the Council's Housing and Regeneration Service.
- 3.3 Staff at all levels were fully engaged in various ways during the course of the review, for example by taking part in staff workshops and completing data analysis. The OR Report at Appendix 1 provides comprehensive details of the findings and subsequent recommendations.
- 3.4 The work in relation to the Colns/Modern Gov systems has been particularly helpful and needs investment of time, which is currently unavailable in house, to implement the recommendations.
- 3.5 The OR review relates to Services which have been the subject of significant reductions in both staff numbers and budget resources through various recent exercises, made on the understanding that there would be a reduction in workload; see paragraph 2.4, at pages 21 and 22 of the OR Report. However, the OR Report identifies the fact that rather than a reduction in workload, workload has increased.
- 3.6 Various measures have already been taken to gain efficiency as is highlighted in the OR Report. Iken case management software has been purchased and provides significant benefits in terms of management of files and use of template documentation. It can also assist in gaining income for Legal Services by time recording costs efficiently for recovery from other parties via various arrangements and within court proceedings. However, the system needs significant development through the investment of time which is currently not available due to workloads.

4.0 HIGH LEVEL FINDINGS / RECOMMENDATIONS FROM THE REVIEW

- 4.1 The recommendations from the OR Report have been extracted and are attached at Appendices 2, 3A and 3B to this report, together with comments and action points in the right hand column of the appendices.
- 4.2 The recommendations in relation to the potential development of the ColnS software have now been investigated and it has been demonstrated that the ColnS

system will not have sufficient functionality to fulfil the Council's future requirements as identified within the OR Report. Therefore in line with the OR Report the Modern Gov option is now recommended as the preferred option for the Council, having scored highest on appraisal of its functionality (the qualitative assessment) and will assist the delivery of electronic agendas etc.

5.0 SAVINGS/FINANCIAL IMPLICATIONS

- 5.1 There are a number of areas where the Consultant identified that short-term additional investment is required in order to improve service delivery and/or create greater efficiency. While these costs will be met from within existing corporate budgets wherever possible, some additional expenditure is required to be met from the Major Projects Reserve. Any additional costs being subject to the preparation of a valid business case and future approval through the usual processes.
- 5.2 The costs comprise a sum of £25000 for the further development of Iken and £40,000 for implementation of Modern Gov. in line with the recommendations of the OR report, together with salary and on-costs for a temporary post identified in the OR report; namely a temporary Practice Administrator (PO3) at £47,370 per annum maximum. The Modern Gov costs are being refined and it is expected that ongoing revenue costs will be broadly neutral, but will enable ongoing savings in budgets through the take up of electronic delivery of agendas. The delivery of the Consultant's recommendations will not be achieved without specialist assistance from an experienced Practice Administrator, to carry out the work identified in the OR Report. There is sufficient funding within the Major Projects Reserve to meet the total cost of up to £159,740 that will be required to implement these recommendations. In the OR Report there is a recommendation for additional legal resource, eg a temporary Assistant Solicitor post, to deliver on the additional workload, as identified in the OR Report and referred to above, and ensure the legal team has sufficient capacity to implement the recommendations with the assistance of the Practice Administrator. However, the need for additional capacity within the service had already been identified, notably to handle workload for Housing, including that due to self financing, particularly development and redevelopment initiatives; increases in Planning work, particularly enforcement; new data protection/SIRO work and work arising from legislative changes under the Localism Act 2011 and the transparency agenda. An Assistant Solicitor post was approved at the budget Council meeting on 25 February. That resource will enable delivery of the recommendations of the OR report along with the handling of the ongoing additional workload.
- 5.3 The OR report identifies the opportunity to achieve potential ongoing annual cashable savings of up to £5,101 in Member Services and up to £1,993 in Legal Services. Once the implementation has been completed the cash savings that have actually been realised will be built into the base budget. The OR report also identifies the potential opportunity to save up to 80 hours per year of Members Services time and up to 768 hours per year of Legal Services time. Comments on the deliverability of cashable savings and efficiencies are given in Appendices 2, 3A & 3B to the report. It is intended that any time savings that are generated following the implementation will be re-invested back into these services. There is a request for members to consider the need to retain Kalamazoo paper for records of minutes (items 4 and 14, Appendix 3A). If chosen this would result in a £100 saving each year.

6.0 IMPLEMENTATION

- 6.1 As with all OR reviews, once Cabinet has agreed the recommendations an Implementation Manager from the Service will be responsible for ensuring that all changes are implemented. The Borough Solicitor has been identified as the Implementation Manager. Using the resources identified at 5.2 above he will work with the Legal and Member Services teams to ensure that the appropriate recommendations are implemented successfully.
- 6.2 Implementation of appropriate recommendations in the OR Report as set out in Appendices 2, 3A and 3B will hopefully enable the Council to continue to work within the existing level of permanent resources, despite increases in workload, rather than meet the increase in workload with additional staffing. This is particularly important in Legal Services in the context of substantial further Major Service Review Policy options needing to be planned for in 2015/16 and implemented in 2016/17 which will need significant legal input.

7.0 SUSTAINABILITY IMPLICATIONS

- 7.1 OR helps generate efficiency and savings for the authority, whilst simultaneously driving up the quality of services. The ability to be able to achieve this is fundamentally important due to the challenging economic climate, together with escalating customer expectations.

8.0 RISK ASSESSMENT

- 8.1 Risk assessments have been conducted throughout the project. Any potential risks are identified within each section of the attached OR Report. The effective delivery of the functions provided by Legal and Member Services is crucial to the operation of the Council. The delivery of the recommendations will benefit all services and ensure that cost effective and timely Legal and Member Services are provided for the future.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Appendix 1: CPC Project Services Organisational Re-engineering Review of Legal & Member Services Report (inc. Appendices).
(Circulated separately)

Appendix 2: OR Review of Legal and Member Services Report –
Recommendations with 'Action' column.

Appendix 3A: OR Report Service Redesign Recommendations – Member
Services.

Appendix 3B: OR Report Service Redesign Recommendations – Legal Services.



West Lancashire Borough Council

Organisational Re-engineering review of Legal and Member
Services

By CPC Project Services LLP

Version 9

15th October 2014



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1.0 Executive Summary

1.1 Introduction

West Lancashire Borough Council (the Council) invited tenders from Consultants on their Organisational Re-Engineering (OR) (Efficiency Reviews) Framework to conduct a OR review on services within Legal and Democracy Services, provided in-house by the Council, under the direction of the Borough Solicitor. The review also included services within the Council's Administrative and Electoral function, which also sits within Legal and Democracy Services.

The Council sought to ensure the effectiveness, efficiency and economical manner of Legal and Member Services through the completion of organisational re-engineering, with recommendations that stay in line with the Council's vision:

'To be a Council to be proud of – delivering services that are Lean, Local and Fair'.

It is within this context that *CPC Project Services* is delighted to present its findings, conclusions and recommendations; after working alongside staff in the above Council services since January 2014.

1.2 Project Purpose

The service areas that were considered suitable for review are covered under 'Project Scope' below.

This project looked to remove waste from existing organisation and processes, through re-design and change, putting the service user at the centre of services. It will be informed by a thorough understanding of system strengths, opportunities and deficits, demonstrating that they contribute to efficiency, effectiveness and to customer satisfaction.

1.3 Project Scope

The following areas of work were identified as appropriate for review and, therefore, clearly within the scope of the project:

Legal Services

- A) Client Instructions and Capacity
- B) Debt recovery work
- C) Commercial Conveyancing
- D) Planning Enforcement
- E) Prosecutions
- F) Information Handling Regimes (with Administration and Electoral Services)

Member Services

G) Committee Administration Procedures

The Council required the review to understand whether the ColnS software used within Member Services is fit for purpose and has functionality that would support service improvement.

1.4 Background

The Council is committed to an extensive programme of Organisational and Service Reviews, as documented in its existing Business Plan. This Review also fits into that programme and builds upon the work already undertaken by the Council in seeking to satisfy identified Priorities, and to meet its Values and Vision.

Whilst the Review focuses on services that have previously been the subject of various exercises to reduce expenditure, for example organisational down-sizing and Major Service Review, there is still considerable merit in undertaking further work to ascertain their efficiency and effectiveness.

This Organisational Re-engineering review is seen as critical to the Council in the context of increased workloads, increasing volumes of enquiries and various initiatives.

The ability of the service to respond to this; embrace technological advancements; and to more effectively manage its resources will be acute critical success factors.

1.5 Methodology

CPC Project Services has both an established approach to Organisation Re-engineering projects and a degree of flexibility to respond to the unique nature of each. In this context it has taken into account three main areas:

- The required structure and service delivery within the Legal and Members Services;
- Constraints imposed by IT systems within parts of the service;
- Current processes and ways of working to be reviewed and/or improved further.

1.6 Project Sponsor & Leader of the Council Engagement Sessions

At Project Commencement on-site *CPC Project Service's* Partner, Mike Hughes, held initial briefing and engagement meetings with the Borough Solicitor - the Project Sponsor - and the Leader of the Council. These meetings took place in early January 2014.

In addition to these initial meetings, engagement has continued throughout the project with both the Borough Solicitor and the Council's Organisational Re-engineering Manager.

1.7 Service Provider Engagement Sessions – *Voice of the Staff*

Also early in the process were engagement sessions with service staff, but only in Legal Services, as Member Services staff views were captured informally and used to develop the initial 'emergent themes'. The Voice of the staff report for Legal Services is shown at Appendix C to this report.

1.8 Process Mapping - *Voice of the Process*

The next step was to undertake the process mapping for each of the key processes within each service.

1.9 ColnS review

CPC Project Services were asked to assist the Council in determining its options with regard to the ColnS software being used within committee administration. The existing contract with the suppliers, Northgate Business Services, was due to expire in July 2014 and it was necessary to identify the best option going forward after that date.

A soft-market test was undertaken, with a number of established software suppliers being invited in to pitch their product via a presentation to a select audience, with an opportunity to have operational and technical questions answered.

The outcomes, and a detailed financial and operational cost/benefit analysis of each of the above options, are reported at Appendix A.

1.10 Voice of the Customer Surveys

In Member Services a *Voice of the Customer* survey was coordinated by the Administrative Assistant in Legal Services in association with CPC staff, using a predetermined format likened to the Kano concept and principles.

Questionnaires were issued to all Elected Members and to all Senior Managers within the Council. In total, 23 responses were received and are included in the analysis and the compiled results. This is detailed in the report at Appendix B.

In Legal Services a Voice of the Customer survey was coordinated by the Council's Organisational Re-engineering Manager – in association with CPC staff, using and the same principles. The survey was conducted utilising *Survey Monkey*, which represents a departure from our usual CPC methodology.

Of the questionnaires were issued to all Senior Managers, in total, 41 responses were received and are included in the analysis and the compiled results. This is detailed in the report at Appendix D.

1.11 Service Redesign Sessions

Prior to the actual redesign stages, detailed analysis was made of the steps in the process maps, to identify volumes and time taken, as well as highlighting possible cost savings of 'identified waste'.

Each of the main process maps were then scrutinised to eradicate waste and wherever possible redesigned (landscaped).

A schedule of proposed changes within each service was documented and the cost/benefits analysed. These are detailed in Appendices E & F.

1.12 Reporting

This report pulls together all the findings, conclusions and recommendations and provides a comprehensive account of how the project was undertaken, with a detailed narrative of what led to the establishment of those outcomes.

Those outcomes are provided in detail in sections 4, 5 and 6 of this report.

1.13 Findings

Emergent Themes

As the project progresses it is often possible to identify some of the key issues facing the service(s) being reviewed, and begin to form a view about what perhaps could, or indeed should, be done to address those issues.

It is worth mentioning that both the Member and Legal Services teams participated willingly and enthusiastically in the project, giving their time while maintaining performance under difficult timescales and performance pressures.

This project was no different and, by the end of March, at which point only the Legal Services *Voice of the Customer* exercise remained outstanding from the 'Analyse' stage, a picture had already started to emerge. This can be summarised by the following tables.

Table 1: Findings - Member Services

Issue	Explanation
9 out of 13 (70%) Voice of the Customer responses indicated that they were delighted with the quality of service provided by the member Services Team	Staff are clearly providing a professional service (and one that Members and Officers want) to their customers notwithstanding reductions in staff numbers.
Quality of reports and compliance with Green Guide supplied by other services (at draft stage)	Member Services staff assisted with informal spot checks to understand whether reports were compliant. The findings from this spot check were that up to 60% of first draft reports submitted to Member Services were not compliant with the 'Green Guide'.
Use of Kalamazoo paper is expensive.	Kalamazoo paper is used for the minute books within Member Services and is approximately three times more expensive than standard paper. This is evidenced in Appendix E to the report (details provided in the Minutes process).
Extensive printing of Agendas	Analysis of documents produced identified that the team issued over 600,000 pieces of paper per annum. This volume of printing results in resource, stationery and postage costs (See Appendix E for further details).
Double handling of documents (e.g. register of interests) – hard and printed electronic copies both filed	Throughout Member Services there is a degree of administrative 'double handling', which includes work on updating Members' timetables, checking of committee reports and the typing of forward plan items (see Appendix E for a more detailed breakdown of this information).

Table 2: Findings - Legal Services

Issue	Explanation
<p>26 (86.7%) out of the 30 who provided a score, indicated that they are satisfied or delighted with the quality of service provided. Meaning that overall there is a very high degree of satisfaction</p>	<p>It is evident (from the results of the Voice of the Customer report) that the customer perception of the Legal service is that 'Must haves' are currently being met to the satisfaction of service users. Further details are provided within Appendix D.</p>
<p>Not all work areas have a formal instruction process – meaning rework around scope and a delay in receipt of full instructions (many incidences of incomplete and inconsistent instructions from clients)</p>	<p>Analysis of 'open' Legal Cases indicated that there is inconsistency in the scope of requirements provided by services. Of the cases reviewed, 30% provided no formal scope, which resulted in additional contact (or failure demand) between Legal and the Client Services.</p>
<p>Perception that Legal Services governance and statutory requirements are an 'obstacle' to progressing items quickly</p>	<p>This was identified within the Customer Irritant section of the Voice of the Customer report (Appendix D)</p>
<p>As part of the Monitoring Officer role Legal Services review draft reports. Because of high incidence of non-compliance with Green Guide at first draft by clients additional time is required</p>	<p>Member Services staff assisted with informal spot checks to understand whether reports were compliant. The findings from this spot check were that up to 60% of draft reports submitted to Member Services were not compliant with the 'Green Guide'.</p>
<p>Extensive use of paper (court bundles, paper files and computer print offs)</p>	<p>Anecdotal evidence was provided by a number Members of the Legal Services team (during the Voice of the Staff process – see Appendix C) that, on occasion, court bundles were printed and filed as evidence for both the Council and opposing Counsel. However, we understand this is done on a reciprocal basis. The staff view was that an approach should be made to the Court to explore the possibility of the electronic use of evidence in future.</p>
<p>IKEN system not used to full potential (of current functionality)</p>	<p>The majority of Legal Services staff are not currently using the IKEN system to its full potential. See Appendix F for a more detailed analysis.</p>

Issue	Explanation
Compromising of ability to plan due to constantly changing priorities	<p>The lack of client instruction (and therefore a clearer understanding of client priorities) means that there is a danger that everything received is classed as 'urgent'. See client instruction process details in Appendix F.</p> <p>IKEN reporting does not currently allow dynamic and comprehensive exception reporting (additional functionality required – and is available).</p>
IKEN reporting does not currently offer management information to assist in determining priorities and manage performance	IKEN reporting does not currently allow dynamic and comprehensive exception reporting (additional functionality required – and is available at cost).
Lack of capacity (in house) to litigate	As a planned strategy the Principal Solicitor conducts the majority of litigation/Court Hearings on behalf of the Council with additional resource sought from external specialists. Due to client service demand there appears to be a general shortage of capacity within Legal Services to conduct all litigation required by clients within a turnaround time desired by the Client.

Following on from the initial conversations with staff, the following forms of analysis were completed, to gather empirical evidence about the services being reviewed and the potential for improvement.

This evidence was gathered in the following ways:

1. Through Voice of the Customer surveys for both Legal and Member Services. This gathered information about how the individual services fared against service user (customer) expectations and also provided insight into how service users would like their services to be provided in future. The detailed results of these surveys are shown at Appendices B and D to this report.
2. Through a Voice of the Staff survey completed in written format for Legal Services and verbal format for Member Services. This process allowed staff to individually state their frustrations at the service currently being provided – and to provide opinions into how the service provided could be improved. Details of the finding from this survey are shown at Appendix C to this report.

3. Value Stream Mapping, with time and volume metrics. The respective Legal and member Services Teams all took part in a mapping process which took over 2 months to complete. This process detailed the current (as is) processes, which were then overlaid by time (i.e. how long to complete both a process and the individual tasks within a process) and volume (i.e. how many times is the process, and individual tasks within the process) metrics. Many of these metrics were available from the ColnS and IKEN software systems, but in many instances, CPC worked with (and observed) staff members to develop metrics. These metrics formed the basis of the redesign tables shown within Appendices E, F and G to the report – including time and cost savings arising from the report.
4. Week in the Life of analysis, where members of the respective services provided a week's worth of data about their work activity (recorded in 15 minute intervals). This evidence provided a 'sanity check' of the metrics developed under point 3 (above).
5. Spot checks of reports provided to Member Services, to compare submissions to green guide requirements – with more details provided at Appendix E to the report.
6. Sample checking of Legal cases recorded on the IKEN software, to understand case prioritisation and staff activity against open cases (in order to understand concerns raised by service users (customers) about the time taken to complete cases. Details are shown at Appendices D and F).

This evidence has been collated and reviewed and is the basis upon which all Conclusions and Recommendations within this report have been made. It is important to note that evidence rising from each of these 'methods' are relevant individually, they cannot be taken in isolation, but must be seen as a suite of evidence.

1.14 Conclusions

As a result of this approach, the following conclusions have been determined:

1.14.1 Member Services

1. Staff are clearly providing a professional service (and one that Members and Officers want) to their customers (evidenced by 9 out of 13 Voice of the Customer responses stating that they were delighted with the quality of service provided by the Member Services Team) notwithstanding reductions in staff numbers.
2. Member Services are providing an effective planning, co-ordination and network of support to the democratic and committee administration service and its customers.
3. It is essential that the Council takes steps to address the weaknesses in the functionality, integration and appearance of its ColnS system in its capacity as an internal and external communications tool.
4. Integration of the Council's constitution within Colns or alternative Committee management systems could result in easy access for stakeholders and for updating by Member Services.

5. With reliability being such an essential ingredient for customers of the service, it is important to continually reaffirm the importance of transparency.
6. Corporate compliance with the Green Guide, and the quality and timeliness of draft reports submitted under its jurisdiction, needs to be applied with greater rigour.
7. Use of Kalamazoo paper, for printing, and double handling of documents (hard and electronic copies) means that consideration needs to be given as to whether these are exaggerating cost and building waste into processes.
8. Greater reliance could be placed upon electronic data handling, and tools provided to enable members and officers to access the electronic databases.
9. Elected Members may wish to adopt better (simpler) electronic access to online information (such as meeting agendas). There is currently access available to Members, but additional training is required – as is a standard (and simple) form of technology to allow the access (e.g. IPADs). If such a choice were made this would aid significant efficiency savings in respect of printing costs (see Appendix E to the report – specifically Agenda, Cabinet and Member Update processes).
10. There are no benchmarking initiatives with sufficient critical mass to be of use to the Council in further improving/developing the service offered to service users.

1.14.2 Legal Services

1. Legal Services are providing an effective and secure service to its customers and the Council as a whole.
2. The results of the Voice of the Customer report indicate that customers' 'Must haves' are currently being met. This is evidenced by the 13.3% of customers who indicated that they are delighted with the quality of service provided, while a further 73.3% indicated that they were satisfied with the service provided. This does not, however, mean that there is no room for continuous improvement.
3. It is evident that adherence to processes across the authority – particularly in relation to the Green Guide – could be improved. It is essential that some form of reaffirmation is undertaken (this has also arisen in the Member Services section, which underlines the significance).
4. Investing in a structured and standardised client instruction process is felt to be essential. At present analysis shows that there is an inconsistency of approach from client Services with instances of insufficient information being provided to Legal Services. This hampers case prioritisation and, by extension, gives rise to challenges in managing customer expectations. This is all reflected in the Voice of the Customer report shown at Appendix D.
5. The precise management of the process that would stem from taking such a step could be determined by the Council. For example, it has already begun to be discussed, by senior staff within the service, as to whether a 'triage' process could be formalised for non-routine matters (i.e. a procedure which prioritises

urgent and non-urgent cases and provides a sign-post to the most appropriate resource to deal with the issue at hand).

6. It is absolutely essential that the service optimises the use of the IKEN system. This should be explored by establishing dialogue with the software providers and clearly understanding what functionality could affordably be utilised, or developed, to address the key issues identified from within the team.
7. The clarity and frequency of communications also needs to be reviewed. Once again, this would be assisted by a more robust instruction framework, which would go a long way toward managing the expectations of customers. However, what may be worth considering is whether the IKEN system, for example, can automatically provide regular feedback to customers – even if that is only a statement of the latest position – and, in so doing, instantly remove the sense that some clients have of limited feedback on matters as they progress. This, combined with a formalised instruction process might also help to address the issues raised by clients.
8. Further work is needed to develop new MIS reports within IKEN. This will allow better management information allowing for improved performance management and re-prioritisation of tasks and priorities where appropriate.
9. Having greater control over the entry of client instructions into the service – by whichever means that is managed - will enable greater productivity.
10. Development of the Iken system might create some additional capacity to allow for the more proactive management of the Legal Services team as a whole. Issues of capacity could be addressed by increasing staffing to replace earlier reductions and thus allow for management time and to reduce turnaround times. Additionally, the temporary resource for information governance and planning work could be made permanent.
11. Addressing the output of appropriate Management Information Systems (MIS) from IKEN would also assist management and support of team members and would allow for improved reprioritisation / reallocation of matters following initial allocation.
12. There appear to be inconsistent views within the team about the level of quality assurance that the service can afford to offer, particularly in times of austerity. Some members of the Legal team believe that enhancing turnaround times may only result in marginal returns for the Council as a whole on some cases. It is also evident that some services are failing to appreciate the statutory, governance and 'propriety' role that the service must provide to the Council. By virtue of the high degree of satisfaction being scored, it would not hurt to remind customers of what the service achieves, what its role is and why, sometimes, it is necessary to proceed with caution. This would help to address some of the comments about negativity and being risk-averse. The form of its delivery would need careful thought: training; newsletters; a formal presentation on the outcomes of this organisational review, would be amongst the ideas that should be considered. This 'promotion' needs to have the backing of senior management within the authority to achieve the impact required.

13. The Council has in place a Retention and Disposal Policy developed with Legal services and now administered by Administration and Electoral Services. This is enhanced by a filing system and the case management system. Notwithstanding this storage space is fast running out, and there are restrictions in terms of resource to review and destroy old files.
14. Whilst Services often use Legal Services to assist them, by asking for Legal intervention in operational matters, and pro-activity is to be encouraged, these matters could be dealt with locally (evidenced from 'spot check' of Legal cases).
15. While it is always useful to look at other practice within related fields (both in and outside of Local Government), research has shown that there are very limited benchmarking initiatives available to the Council – and those that are available have insufficient critical mass to be of use to the Council in further improving/developing the service offered to service users.
16. The reason for internal Legal Services is fairly obvious, providing they are demonstrably economic, efficient and effective. Since they are not budgeting for proprietor profit they need only charge services at cost. And providing they are 'lean' both in systems and staffing and have frequent functional reviews so they are providing only those core, regularly required functions and services which they can economically, efficiently and efficiently provide, they are likely to represent the best solution for local taxpayers. For internal local authority lawyers also give the advantage of being integrated into the central constitutional operations of the authority, have an understanding of its history, political idiosyncrasies and nuances and are continually alert to safeguarding their authority's legal welfare.

1.15 Recommendations

The following recommendations have been developed, following analysis of the findings and conclusions drawn, in sections 4 and 5 of this report respectively:

1.15.1 Member Services

1. Continue to maintain effective planning, co-ordination and provision of a network of support to the democratic and committee administration service and its customers.
2. Renew the Northgate (CoInS) system for a minimum one year period, while discussions are had with the supplier to discuss plans to:
 - a. maintain support levels in the medium/long term (i.e. to August 2018);
 - b. develop functionality; and
 - c. Investigate participation in a CoInS user group on a regular basis.
3. Subject to points 2a – 2c (above) being achievable, the CoInS contract be extended for a further 3 years (i.e. to August 2018).

4. Should points 2a – 2c not be achievable, that the Modern.Gov option be adopted as the preferred option with effect from August 2015, subject to sufficient funding being made available.
5. As part of the functionality referred to in 2b, take steps to address the content, accessibility and presentation of the Council's democratic data, including - the integration of that system with the Council's constitution resulting in easy access for stakeholders and updating by Member Servicers Officers.
6. Continue to reaffirm the importance of transparency, so that customers, staff and stakeholders feel reassured of objectivity and transparency; addressing the significance of reliability in the process.
7. Reaffirm the significance of compliance with the Green Guide with the use of the local champions.
8. Review and overhaul the use of printed copy and the use of Kalamazoo-quality paper for minute books, with a view to placing greater credence and reliability upon electronic data-handling.
9. Consider implementing appropriate process-specific improvements identified within the Redesign Schedule attached at Appendix E. Implementation of appropriate changes (with the exception of the service software) can be done as part of the Member Services day to day roles , with support from a short term post of Practice Administrator.
10. Providing Elected Members with IPADs to facilitate easy electronic access to papers and Members choosing electronic access only could potentially save over 613,000 printed sides of paper per annum. Further details are provided in Appendix E to this report.
11. That the financial cost (in terms of both subscription and the opportunity cost of managing benchmarking information) of joining a benchmarking initiative (e.g. CIPFA), outweighs the benefit, due to the lack of critical mass in the Democratic Services area.

1.15.2 Legal Services

1. Approve and adopt the new client instruction process, and associated forms, developed during the redesign stage. Introduce a formalised 'triage' process for non-routine matters where instructions are channelled to the Borough Solicitor, who can scope the Instruction and allocate a priority and timescale for completion of the work.
2. As part of this formalised process, implement an 'Urgent Stream'. This approach will provide the level of flexibility required of a dynamic Legal Service, whilst maintaining a degree of control over priorities. This will require approval from Heads of Service to ensure that not all cases are classified as 'urgent'. Legal Services Triage would also be required to signify agreement before a case is treated as urgent and fast-tracked.

3. Optimise the use of functionality within the IKEN system by clearly understanding what functionality could affordably be utilised, or developed, to address the key issues identified from within the team. Create the short term resource of Practice Administrator to explore and develop the workflow functionality within IKEN to automatically provide regular feedback to customers – even if that is only a statement of the latest position. Organise further training for professional and support staff to enable use of the Iken system to be maximised.
4. Investigate via the short term post of Practice Administrator the opportunity for greater quality management information from within the system. Improved IKEN functionality will allow more informed decision making and better resource/workload management.
5. Addressing the output of appropriate MIS from IKEN would assist in providing management and support of the team members and would allow for the improved reprioritisation / reallocation of matters following initial allocation.
6. Clearly determine the standard to which cases should be worked (to avoid small gains against increased effort). Undertake some degree of service ‘promotion’ on the back of this review to help staff understand what the Legal Service can ‘do for them’. The form of this promotion will need careful thought, with a potential requirement for training; newsletters and a formal presentation on the outcomes of this organisational review. Introduce an annual meeting with Heads of Service when preparing service action plans each year to factor in requirements for Legal Services and identify resources (internal or external).
7. Through the short term post of Practice Administrator review solutions for document storage/retention, given the restrictions in storage space.
8. Reaffirm the significance of compliance with the Green Guide, through staff training and more proactive use of local champions (for example through awareness sessions).
9. Review via the short term post of Practice Administrator the use of printed copy with a view to placing greater credence and reliability upon electronic data-handling where practicable. Explore the use of (encrypted) handheld devices for Court to enable remote working whilst waiting for case(s) to be called.
10. Implement the process-specific improvements identified within the Redesign Schedule attached at Appendix F with the assistance of a short term post of Practice Administrator and a two year fixed term post of Assistant Solicitor or Trainee Solicitor.
11. Whilst proactive work is essential, appropriate use of Legal services should be encouraged, for example not using Legal Services for simple operational matters. This can be addressed as part of the client instruction process and Triage approach as detailed in Recommendations 1 and 2 (above).
12. That the financial cost (in terms of both subscription and the opportunity cost of managing benchmarking information) of joining a benchmarking initiative (e.g.

CIPFA), outweighs the benefit, due to the lack of critical mass in the Legal Services area.

13. Given that the Council's Legal Service is Lean; the level of service user satisfaction; the high utilisation of staff and the service improvement recommendations herein, there appears to be a clear 'best fit' for the Council – to retain an efficient, effective and Lean in-house Legal services team. This can be added to through external support where specialist, sensitive or infrequently required services are needed, or to add to internal capacity due to workload peaks.

Implementation of these recommendations could be completed internally, using the short term post of Practice Administrator and a two year fixed term post of Trainee or Assistant Solicitor. The objective of implementing these recommendations would be to enable the reductions in staffing from the earlier exercises identified, to be embedded in the context of increasing rather than decreasing workloads. In the current financial climate, permanent increase in staffing to match service demands is not favoured. Once these measures are implemented an assessment of the match of staffing resource to instructions received needs to be undertaken, as if workload cannot be contained/reduced or turnaround times acceptable to Clients met then further consideration will have to be given to re-establishing posts.

2.0 Introduction

West Lancashire Borough Council (the Council) invited tenders from Consultants on their Organisational Re-Engineering (OR) (Efficiency Reviews) Framework to conduct a OR review on services within Legal and Democracy Services, provided in-house by the Council, under the direction of the Borough Solicitor. The review also included services within the Council's Administrative and Electoral function, which also sits within Legal and Democracy Services.

The Council sought to ensure the effectiveness, efficiency and economical manner of Legal and Member Services through the completion of organisational re-engineering, with recommendations that stay in line with the Council's vision:

'To be a Council to be proud of – delivering services that are Lean, Local and Fair'.

Legal Services

The Legal Service provides a wide range of professional, legal, and governance support services to the Council both as a corporate body and to assist delivery of direct services.

There are three tasks of a legal nature which every Council must ensure are competently performed, namely:-

- **Ensuring Propriety** – propriety is concerned not only with identifying actual and potential breaches of the law, but also with their prevention and with the establishment of good procedures throughout the Council, this includes the specific duties of the monitoring officer.
- **Giving Corporate Legal Advice** – the duties go beyond propriety, to include a watching brief over all the Council's affairs. Developments outside as well as inside the Council need to be monitored and Officers and Members advised of the likely impact of legislative changes and of the legal implications of their proposals, whether or not specifically requested to do so. This requires a wide knowledge of the law, so it will always be carried out by Lawyers with unrestricted access to the important management and decision making processes of the council. The Audit Commission states that the advisers must enjoy a relationship of trust with both Members and Officers, particularly with the Chief Executive/Managing Directors.
- **Providing Legal Services** – this is advice to individual Services as well as to the corporate centre, conduct of litigation, drafting of contracts and providing conveyancing services.

Member Services

Member Services provide a wide range of professional support services to the Council in terms of functioning of meetings and governance.

It is within this context that *CPC Project Services* is delighted to present its findings, conclusions and recommendations; after working alongside staff in the above Council services since January 2014.

2.1 Project Purpose

CPC Project Services had been invited to supply the external resource and undertake an Organisational Review of the Council's Legal Services and Member Services functions; making recommendations designed to ensure that the services operate in the most efficient, effective and economic manner.

The precise identification of the service areas that were considered suitable for review are covered under 'Project Scope' below.

This project looked to remove waste from existing organisation and processes, through re-design and change, putting the service user at the centre of services. It will be informed by a thorough understanding of system strengths, opportunities and deficits, demonstrating that they contribute to efficiency, effectiveness and to customer satisfaction.

2.2 Project Scope

CPC Project Services were provided with significant time access to staff resources employed within the services under review. Meetings with the Project Sponsor, the Borough Solicitor, and other senior staff were afforded, plus engagement with the Leader of the Council, as well as the ongoing support of the Council's OR Manager.

It was understood that many refinements and improvements to service delivery had already been made in recent years. These include moving routine and preparatory work into the client services, together with the reduction of external costs by recruitment of in-house expertise.

It is appreciated that the Legal Service is subject to external regulation, e.g. in terms of the Solicitors Regulation Authority and regimes such as money laundering, in addition to the usual rigorous governance requirements of the Council. The Service has in place an IKEN case management system, which allows time recording, work flow processes, file management and management reporting.

In Member Services, the Council has in place Northgate Public Service's ColnS Software, which includes production of electronic agendas, reports and minutes and published details of Councillors, Parishes and MPs.

The following areas of work were identified as appropriate for review and, therefore, clearly within the scope of the project:

A) Client Instructions and Capacity

This to include consideration of access arrangements for the service, e.g. phone and email contact and personal visits/meetings (particularly without prior appointment).

B) Debt recovery work

This is carried out for many Council client services, and instructions to take action normally come via One Connect Ltd/BTLS Ltd.

C) Commercial Conveyancing

Recognising that the Council has a significant commercial property portfolio as well as a programme for the disposal of surplus assets.

D) Planning Enforcement

It was acknowledged that Planning Services has recently been the subject of an organisational re-engineering review and that this work needs to dovetail with the relevant process changes.

E) Prosecutions

Legal Services are engaged to cover a variety of prosecutions from across the Council's regulatory functions. Client management needed to be considered to ensure officers are properly deployed in the legal process and not management of investigations.

F) Information Handling Regimes (with Administration and Electoral Services)

This work area is handled within the Borough Solicitor's Services with assistance from other Council and external resources.

G) Committee Administration Procedures

The processes for convening meetings, preparation and delivery of reports (and the method for sign-off of reports) agendas, minute preparation is to be reviewed with a view to e-enabling the process to the maximum extent.

Additionally, the Council required the review to understand whether the CoInS software used within Member Services is fit for purpose and has functionality that would support service improvement.

2.3 Timescales

Following Contract Award in the autumn of 2013, *CPC Project Services* engaged with officers of the Council throughout the period January to July 2014.

2.4 Background

The Council is committed to an extensive programme of Organisational and Service Reviews, as evidenced in its existing Business Plan. This Review fits into that programme and builds upon the work already undertaken by the Council in seeking to satisfy identified Priorities, and to meet its Values and Vision.

Whilst the Review focuses on services that have previously been the subject of various exercises to reduce expenditure, namely, an organisational down-sizing of 10%, major service review exercises and on-going savings initiatives, there is considerable merit in undertaking work to ascertain their efficiency and effectiveness. These initiatives resulted in a significant reduction in staffing resource, with the loss of 16 posts or part posts from the establishment across Legal and Member Services (9 full time and 7 part time and part posts) and a saving in salary costs of £300k since 2008.

The exercises referred to resulted from a requirement to find savings with a desire to focus resources on frontline services; together with an assumed reduction in service demand due to the new financial context (which, as yet, remains unrealised). As a result, prioritisation together with recognition that this would increase turnaround times in Legal and Member Services was accepted.

The positive outcomes already achieved by the services include:

- Routine work of Legal Services – recovery of large litigation costs and conveyancing fees. It should be noted that the practice is that fees and costs recovered are paid directly to the client service and not net off against the headline cost of legal services;
- Successful defences against High Court challenges to Council decisions;
- Section 106 instruction maintenance – With the large increase in the number of instructions seen, processes were maintained and regulated;
- Promoting and taking forward Section 106 recovery and service charges;
- Information handling regimes – continuous support and commitment was given to this area, accommodating increased legislative requirements;
- Professional development – Relevant courses were provided for staff as well as reducing levels of expenditure in this area;
- Exploring the integration of the public and private sector – the Council has implemented a training scheme offered to trainee solicitors from private firms, in exchange for their services at nil cost;
- Continuous work with the Parish Council Charter; and
- Member Development – Members are offered one-to-one interviews, whereby they can request training to suit their needs and aspirations.

Both Legal and Member Services remain under significant workload pressures, examples of increased demand include the expansion in Housing work over recent years due to the introduction of “self-financing”, delivery of changes across the Council through Major Service Review exercises which require due diligence, procurement and contractual advice and conveyancing work. As referred to earlier, no reduction in service demand has resulted despite “austerity”. Organisational Downsizing and Major Service Review resulted in significant staff reductions. This means that, during the period of this review, the services involved are already doing ‘more with less’. Budgets have similarly been reduced e.g. with a saving of in excess of £20,000 in the cost of legal research tools and increased sharing of these with “client” services.

This Organisational Re-engineering review is seen as critical to the Council in the context of increased workloads, increasing volumes of enquiries, various initiatives e.g. increased numbers of prosecutions for fly-tipping, and a greater need for technological advances, which could further improve areas like commercial conveyancing and planning enforcement. Significant new service demands are also being added, e.g. changes brought about by the Government’s transparency agenda and localism legislation, individual election registration arrangements, more stringent accountability in elections processes, SIRO arrangements for information governance and procurement workload.

The ability of the service to respond to this; embrace technological advancements and to more effectively manage its resource will be one of the key critical success factors.

3.0 Methodology

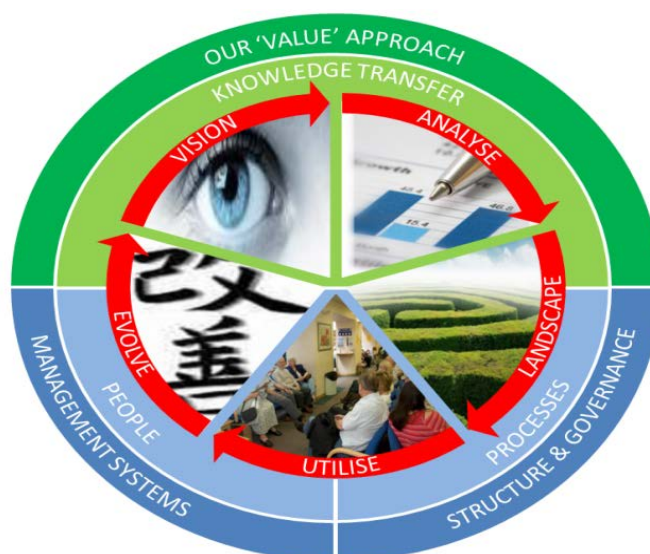
CPC Project Services has both an established approach to Organisation Re-engineering projects and a degree of flexibility to respond to the unique nature of each. In this context it has taken into account three main areas:

- The required structure and service delivery within the Legal and Members Services;
- Constraints imposed by IT systems within parts of the service;
- Current processes and ways of working to be reviewed and/or improved further.

3.1 Approach

We have outlined here the CPC approach to completing Organisational Re-engineering (OR) reviews, through our unique **VALUE** model. The model applies to all types of OR reviews including those that use tools and techniques associated with Lean, Systems Thinking and Business Process Re-engineering.

Figure 1: Value Model



These separate phases are described, in outline below:

- **Vision** – work, think and engage with the client to establish requirements and define how to work together – captured in a project initiation document (PID). This stage sets out the detailed project approach, identifies the associated stakeholders and establishes the project governance.
- **Analyse** – working with the client, our consultants review all working practices, policies, procedures and service demand levels, to establish the baseline ‘As Is’ processes and associated metrics. The information gathered at this stage forms the basis of the organisational redesign and new ways of working.

- **Landscape** – using our OR tool-kit and experience, we worked with the client to redesign (landscape) processes (the ‘to be’) - by undertaking service reviews; so that new and more effective ways of working are identified.
- **Utilise** – we will set out the proposed service efficiencies and improvements, recorded in report format, providing evidenced conclusions and recommendations.
- **Evolve** – we will leave the client with a culture of continuous improvement through training, coaching development and capacity building that runs throughout our involvement.

We believe that our **VALUE** approach has been very effective for the Council, as the methodology is designed to provide the flexibility, referred to above, and adjust to the unique needs of the client. This is evidenced by the specific approach undertaken in this project, as detailed below.

3.2 Project Sponsor & Leader of the Council Engagement Sessions

At Project Commencement on-site *CPC Project Service’s* Partner, Mike Hughes, held initial briefing and engagement meetings with the Borough Solicitor - the Project Sponsor - and the Leader of the Council. These meetings took place in early January 2014 and provided each party with a clearer insight into what was expected and what methodology was to be utilised in delivering the outcomes required. This forms part of the Vision stage of the process.

In addition to these initial meetings, engagement has continued throughout the project either with the Borough Solicitor or the Council’s Organisational Re-engineering Manager.

3.3 Service Provider Engagement Sessions – Voice of the Staff

Also early in the process were engagement sessions with service providers, in both Member Services and Legal Services. This begins the Analyse stage of the process.

Initially these were done as a group session, whereby consultants on-site were able to explain the purpose of the work being undertaken, and provide some insight into the methodology being deployed. Part of this exercise is designed to offer reassurance to staff about the reasoning behind the approach. These group sessions included a series of 1-2-1 interviews then followed with each of the team members.

For Legal Services only, these 1-2-1 sessions were conducted by following a predetermined format likened to the Kano concept and principles. In Member Services the approach was completed at a verbal level. It was thus possible to identify the principle deficiencies of the service, as viewed by those within the service. This enabled a Voice of the Staff analysis to be constructed, and is included at Appendix C.

3.4 Value Stream Mapping - Voice of the Process

The next stage of the 'analyse' phase was to undertake the process mapping for each of the key processes within each service.

The respective Legal and member Services Teams all took part in a mapping process which took over 2 months to complete. This process detailed the current (as is) processes, which were then overlaid by time (i.e. how long to complete both a process and the individual tasks within a process) and volume (i.e. how many times is the process, and individual tasks within the process) metrics. Many of these metrics were available from the ColnS and IKEN software systems, but in many instances, CPC worked with (and observed) staff members to develop metrics. These metrics formed the basis of the redesign tables shown within Appendices E, F and G to the report – including time and cost savings arising from the report.

The individual Value Stream (Process) Maps were completed:

Member Services:

- Minuting Process
- Agenda Preparation
- Public Speaking @ Planning
- Forward Plan
- Constitution Updates
- Cabinet Process
- Register of Interests
- Call-in Procedure
- Timetabling
- Distribution Lists
- Mayoral Engagements
- Members Update

Legal Services (Focussing on the six areas of work within the scope of the project (see 1.3) :

- Client Instruction & Capacity
- Debt Recovery
- Prosecutions
- Planning Enforcement
- Conveyancing
- Commissioning External Support

- Freedom of Information
- File Process

3.5 ColnS Review

CPC Project Services were asked to assist the Council in determining its options with regard to the ColnS software being used within committee administration. The existing contract with the suppliers, Northgate Business Services, was due to expire in July 2014 and it was necessary to identify the best option going forward after that date.

A soft-market test was undertaken, with a number of established software suppliers being invited in to pitch their product via a presentation to a select audience, with an opportunity to have operational and technical questions answered.

The audience included representatives from the Council's Member Services team, Internal Audit, and IT (OCL), plus CPC Project Services.

The Council's Communications Manager, was not present at these sessions. However, CPC did undertake a consultation exercise with the Council's Communications Manager, which enabled her views to be taken into account in the final analysis.

At the same time, Northgate BS was asked to outline whether they were able to satisfy the operational improvements that the Council had identified.

The outcomes, and a detailed financial and operational cost/benefit analysis of each of the options, are reported at Appendix A.

3.6 Voice of the Customer Surveys

This constitutes the final part of the *Analyse* stage of the process.

In Member Services a *Voice of the Customer* survey was coordinated by the office of the Leader of the Council and the Assistant Member Services Manager – in association with CPC staff, using a predetermined format likened to the Kano concept and principles.

Questionnaires were issued to all Elected Members and to all Senior Managers within the Council. In total, 23 responses were received and are included in the analysis and the compiled results. This is detailed in the report at Appendix B.

In Legal Services a *Voice of the Customer* survey was coordinated by the Council's Organisational Re-engineering Manager – in association with CPC staff, using and the same principles. The survey was conducted utilising *Survey Monkey*, which represents a departure from our usual CPC methodology.

Of the questionnaires were issued to all Senior Managers, in total, 41 responses were received and are included in the analysis and the compiled results. This is detailed in the report at Appendix D.

3.7 Service Redesign Sessions

This constitutes the Landscape stage of the process.

Prior to the actual redesign stages, detailed analysis was made of the steps in the process maps, to identify volumes and time taken, as well as highlighting possible cost savings of 'identified waste'.

Member Services

Each of the 12 process maps detailed in 3.4 above were then scrutinised to eradicate waste and wherever possible redesigned (re-landscaped). These sessions were involved the operational staff who most closely undertake the work.

Legal Services

Each of the 8 main process maps detailed in 3.4 above were then scrutinised to eradicate waste and wherever possible redesigned (re-landscaped). Once again, these sessions involved the operational staff who most closely undertake the work.

A schedule of proposed changes within each service were documented and the cost/benefits analysed. Whilst there are a number of general conclusions and recommendations, found in sections 5 and 6 later, there are some very specific changes to the individual processes that are advised.

These changes (for both services) are detailed in Appendices E & F.

3.8 Reporting

This constitutes the Utilise stage of the process. This report which pulls together all the findings, conclusions and recommendations and provides a comprehensive account of how the project was undertaken, with a detailed narrative of what led to the establishment of those outcomes.

Those outcomes are provided in detail in sections 4, 5 and 6 of this report.

4.0 Findings

4.1 Emergent Themes

As the project progresses it is often possible to identify some of the key issues facing the service(s) being reviewed, and begin to form a view about what perhaps could, or indeed should, be done to address those issues.

It is worth mentioning that both the Member and Legal Services teams participated willingly and enthusiastically in the project, giving their time while maintaining performance under difficult timescales and performance pressures.

This project was no different and, by the end of March, at which point only the Legal Services *Voice of the Customer* exercise remained outstanding from the 'Analyse' stage, a picture had already started to emerge. This can be summarised by the earlier tables:

Table 1 Findings - Member Services, at paragraph 1.13 above

Table 2 Findings - Legal Services, at paragraph 1.13 above

4.2 Voice of the Staff Outcomes

4.2.1 Member Services

The feedback from Member Services staff was undertaken in a group setting and focussed on how the service is currently operated, staff 'irritants' and 'wants'. While the staff were generally very happy in their work, the emerging themes were:

- An aspiration to build and manage their professional networks, which would be beneficial to the service;
- Automation of CoInS was a priority for the service, as the current release required an element of re-work (in putting together agendas), which was deemed to be unnecessary, as well as time consuming.
- Much of the contact with members was to provide basic meeting information that was included in the agendas already issued (this was not a staff irritant, merely a statement of fact).

These issues are addressed in the findings of this report.

4.2.2 Legal Services

The key themes from the *Voice of the Staff* exercise are shown in Table 3 below, illustrating the staff view about the service and what they think needs addressing to enable the service to better deliver what customers would like:

Table 3: Legal Services

Must Haves	Wants
<ul style="list-style-type: none"> • IKEN system needs to be used to the full potential of its functionality; • More compatible systems leading to greater integration throughout the organisation; • PLC: can other users be licensed, which might enable clients to undertake some of their own research. 	<ul style="list-style-type: none"> • Would prefer to be freed up from some court work to more effectively manage the team; • More dynamic leadership within the team; • Can a manager demonstrate greater support? • Retain the temporary resource for data protection and planning work; • Ascertain how long the 'Right-to-Buy' documents need to be kept; • Utilise the knowledge-base within the team more effectively; • 'Promotion' of the service could be enhanced.

In addition to the above, when asked for some specific details about their views on the service that the team provides, and in particular their main irritants, there were a number of 'issues identified'.

These have been aligned with the 'Musts' and 'Wants' from the table above and the following conclusions can be drawn:

Resources – apart from a general sense that there is an element of insufficient use of electronic capability (for example, printing off emails for files) and the lack of printer/scanning/copying capacity on the floor, which causes 'jams' when urgent tasks clash; the principle issue was the inability to fully utilise IKEN and other system functionality and integration.

Capacity – whilst there was an element of inconsistency in the examples used to illustrate this issue, it was evident that appropriate use of staffing resource was a frustration and led to a sense that everyone was too busy; examples included sitting around in court – this is likely to be outside of the Council's control; the co-ordination of shredding for the building takes the Managing Clerk away from his principle role, impacting on the service; collecting/delivering post/paper for the copier eats into time resource; and being told something is urgent and then data sits on a desk for a period of time awaiting collection only heightens the frustration.

Clarity and consistency of process – whilst the Green Guide is a very complex document it was suggested that Legal Services end up having to quality check the reports emanating from report authors , eating into the service’s time resource; being asked to attend meetings merely as a backstop and copied into emails for similar reasons has the same effect; and clients not empathising with the legal role, e.g. feeling the legal process is an obstacle to quick action rather than looking after corporate propriety only serves to frustrate. Other examples of process not helping included incoming post not being delivered until midday, leading to ‘waste’ calls coming in from solicitors querying items that had not yet reached the team; some service managers not responding to data requests timeously, e.g. Supply of witness statements.

Management – there was some observations of the management style and support. Specific comments included managers changing staff priorities to meet client demands, not appreciating how long tasks actually take and too much reactivity all of which is felt is causing planning issues for staff.

Client Instruction – it became very evident that not all work areas have a formal instruction process, which can lead to operational difficulties. For example, cases being passed to Legal Services too early in the piece, without clarification as to the amount of work required, with third parties, being told ‘it is with legal’, when the reality is slightly different; and conflicts caused by being multi-instructed by clients, all demanding urgency.

Data Handling – The Council has in place Retention and Disposal Policy developed within Legal Services and now administered by Admin & Electoral Services. This is enhanced by a filing system and the case management system. Notwithstanding this storage space is fast running out, and there are restrictions in terms of resource to review/destroy old files.

While these staff views are important within this report, they should not be taken in isolation, but should be taken in context within the suite of evidence underpinning the report (e.g. Voice of the Customer findings and Metrics from the Value Stream Mapping exercises).

4.3 Voice of the Customer Outcomes

4.3.1 Legal and Member Services

The key themes from the *Voice of the Customer* exercises are shown in Tables 4 - Member Services and 5 - Legal Services below and illustrate the basic customer expectations, the things that customers would like to see/have and also the initiatives/actions that, if taken, would exceed all current expectations (and wow them):

Table 4: Member Services

Must Haves	Wants	Wows
<p>* It should be noted that the items marked thus (across all 3 columns) included a combined response of 7 service heads. The numbers stated are the numbers (including a combined response) of customers who mentioned the specific 'must have' item in their top 4 priorities.</p> <p>Reliability 12*</p> <p>Timeliness 9*</p> <p>Consistency 9*</p> <p>Good Customer Service 10*</p> <p>Ownership of Query 6*</p> <p>Treated with Respect 7*</p> <p>Friendliness 5</p> <p>Acknowledgement 8</p> <p>Good Communication 10*</p> <p>Good Advice/Guidance 12*</p> <p>Accessible 7*</p> <p>Trust 8*</p> <p>Impartial Advice/Guidance 7</p> <p>Professional 2*</p>	<ul style="list-style-type: none"> Better internet service Easy to use software Officers to pass queries onward and not refer back to councillor to pass on, or ignore the query Feedback where appropriate To have officers designated to named wards Speedier responses Would like faster turnaround times for non-priority items but appreciate this is not currently possible with current resourcing Perhaps COINs could be a bit easier to navigate Quicker circulation of draft minutes on occasions would be helpful Simply to maintain the existing excellent service I feel that Member Services still provide a good level of service but it is not as good as it previously was primarily due to staffing reductions that have been made in recent years. As it 	<ul style="list-style-type: none"> They could do more horizon scanning and send articles they have seen from e.g. MJ to the relevant member but we have financial constraints Speedy, efficient service Get everything 100% perfect every time!! Comprehensive member training programme tailored to the needs of each service area More help in organising meetings A schedule of up and coming reports for all committees, DSU, BPWG etc., with progress readily accessible on ColnS* A bring forward action list, particularly for longer-term (non-urgent) items* The service is already 'wow'!

Must Haves	Wants	Wows
	<p>is extremely unlikely that these reductions will be reversed then I think it will be difficult to significantly improve this service.</p> <ul style="list-style-type: none"> • Improve ColnS – size of screen/window plus access to documents.* 	

4.3.2 Legal Services

Table 5: Legal Services

Must Haves	Wants	Wows
<p><i>Please note that the numbers stated are the numbers of customers who mentioned the specific 'must have' item in their top 4 priorities.</i></p> <p>Reliability 23</p> <p>Timeliness 22</p> <p>Consistency 10</p> <p>Good Customer Service 4</p> <p>Ownership of Query 14</p> <p>Acknowledgement/Good Communication 11</p> <p>Good Advice/Guidance 29</p> <p>Trust 9</p> <p>Impartial Advice/Guidance 6</p>	<ul style="list-style-type: none"> • ...I think a professional service area should try and exude calm control and professionalism. • Provide help, accurate and reliable constructive advice. • Think outside the box of limited established practices of the past. • Accept that you sometimes can't dump all the risk. • Acknowledgement of receipt of case papers submitted to Legal Services. • Agreed timescales/milestones and updates on cases 	<ul style="list-style-type: none"> • Carry on being supportive and providing sound advice as they already do. • Provide updates/advice on current legislative changes, without us seeking the advice. • Offer up to date constructive advice. • Positive outlook and constructive helpful contribution. • Start with an attitude of being able to resolve issues/negotiate an acceptable route around them. • A Service Level Agreement between (my

Must Haves	Wants	Wows
	<p>submitted.</p> <ul style="list-style-type: none"> • Early notification of any extra detail required over and above papers originally submitted. • Whilst the quality of advice has to be the number one aim I feel having enough resource available for making responses in a timely manner is very important. • Improved interaction between Services. • With welfare reform and a significant improvement in the economy, the service will see greater demands on its time and early consideration needs to be given as how those demands will be met. • I want the service to be able to respond to my queries in a timely way so that it does not cause backlogs for myself while waiting for advice back. • Increase turn round times for non-priority items but appreciate this is a resources issue.... • Ownership of query. The subject area by nature is technical. 	<p>Service) and Legal Services.</p> <ul style="list-style-type: none"> • Have one person detailed to a particular case. • ...provide a high quality customer led service. • Increased input/advice on legal documents distributed externally. • Agree service standards with their clients. • An acknowledgement of the initial enquiry, regular updates if necessary and a clear idea of timescale and that timescale being met (or at least an explanation of why not and a new agreed timescale). • More joint working with regard to the production of contracts and documents. • Not sit on the fence so much and provide a way of achieving what is needed for the business. • Short, sharp concise response received in a timely manner. • Set minimum timescales for dealing with cases and meet these timescales in the majority of cases. • Request for feedback. • Legal should provide me with an answer to my query, not a list of

Must Haves	Wants	Wows
	<ul style="list-style-type: none"> • More input to website. • Legal helpdesk? • Better communication with clear timescales for responses. • Clear and concise Instruction. It's sometimes hard to decipher the information provided and leaves room for interpretation. • Quicker turnaround times and straight forward answers to service queries. • Just occasionally the speed of response is less quick... where this happens, an update on progress would be appreciated. • Clear advice expressed in language I can understand, offering clear views, even if those views must be caveated. • It would be great if you felt that the solicitor was trying to find a solution for you. Often I feel that hurdles are put in the way. • Legal Services giving more positive help to services to find ways of solving problems rather than finding problems and pitfalls. 	<ul style="list-style-type: none"> options. • Speed up. • Feedback on Prosecution files and whether anything more could/should be done. • On site legal advice. • Positive and proactive attitude. • Answer my queries when asked. • Give me a recommendation and justification for that course of action. • Due to demands placed on that service, some lower priority enquiries can be overlooked. So a more accurate acknowledgement and structured feedback process would be advantageous. • Agree to find a resolution for you. • A same day response/regular updates/timely responses to emails. • By responding...(clearly)...in a reliable and timely manner where it is clear they've taken ownership of the query and sought to provide the best possible service to us.

Must Haves	Wants	Wows
	<ul style="list-style-type: none"> • Perhaps being a bit more flexible in advice and realistic - sometimes we are too risk averse. • Perhaps could do more of their own advocacy, rather than getting barristers in. • Recommendations for action rather than a range of options. 	

It is worth noting that with a number of returns coming from colleagues within Services, it was possible to analyse that there was no correlation between the returns coming back from the same Service. This means that the validity of the data is sound, as there was no evidence to suggest that there were any ‘clashes’ involving personalities, or favouritism, resulting in one service either being treated better or worse than any other.

In addition to the above, when asked for some specific details about their views on the services, and in particular their main irritants, there were some other issues identified.

While these customer views are important in relation to both Legal and Member Services within this report, they should not be taken in isolation, but should be taken in context within the suite of evidence underpinning the report (e.g. Voice of the Staff findings and Metrics from the Value Stream Mapping exercises).

4.3.3 Member Services

In the case of Member Services, it is important to understand that, in the main, the points have been raised more as a ‘risk’, as opposed to them actually materialising as an issue. Those that were identified as significant have been aligned with the ‘Musts’ from Table 4 above and the following conclusions can be drawn:

Clarity and consistency of process – it was suggested that the constitutional system which the Council has in place to legally operate with - having the Council and executive functions and the requirements for overview and scrutiny - are complex, and can result in a lack of clarity and inconsistency unless well-marshalled.

Staffing – it was recognised that the reduction in the staffing resource had contributed to a risk of poorer customer service and that too many part-time staff could lead to discontinuity.

Support Network – it was suggested that the reduction in resources can lead to a weaker support network and reliability. For example, since staffing levels had reduced, making contact with officers on first call has been replaced with requests to e-mail the question or query.

Communication – perhaps best illustrated by reference to the Council Information System: ColnS. Whilst the size of the window/screens may be resolved technically, accessibility to the system remains a concern, for both internal and external customers.

Integrity – it is evident that the quality of the advice provided by Member Services remains a significant factor. Combined with the ‘complexity’ and ‘reliability’ referred to above, the integrity of the Council’s governance is, rightly so, a high priority.

4.3.4 Legal Services

In the case of Legal Services, comments have been corralled into a number of grouped headings, which effectively summarise the views being expressed, and the following conclusions can be drawn:

Process – there were only a few comments that pertained to processes. For example, it was suggested that far too long is spent on very minor matters; that it would be helpful to have more robust legal/constitutional advice at some committees; and that there are physical document transfer problems between Services (although it was recognised that this was not the fault of the legal service). These should be acknowledged in any redesign.

Resources – the issues here largely related to, what could be described as, capacity and response times; e.g. it was suggested that ‘the lack of resources to support this area of the service...causes delays and backlogs’; that there is an ‘over use of expensive barristers advice’; and that ‘whilst I find the advice received good, the time it takes to get that advice impacts on my ability to do my job in the timescales I am required to do it in’. The strength of opinion here suggests that these comments have to be addressed in any redesign.

Culture – the issues here largely boiled down to, what could be described as, being negative rather than constructive; too inward-looking; and too risk averse. With the latter it was acknowledged that this might be out of necessity; however, it was suggested that e.g. ‘sometimes advice (is) destructive rather than constructive’; ‘on occasions the Service is too cautious (and) shows a lack of political awareness when making a judgement on whether or not to proceed with a prosecution’; ‘(has a) negative attitude to what another service area has been tasked with’. Whilst it might be that the customers are not fully understanding of the nature of the Legal Services function, it should not be denied that these comments be considered in any redesign work.

Communication – the issues here largely boiled down to, what could be described as, being too ‘legalistic’, not offering a resolution; and a lack of feedback; e.g. it was suggested that ‘sometimes advice is very legalistic and not always clear to the lay person’; ‘a request for advice often results in a greater burden, rather than ways that

help resolve & move the issue on'; 'I need to ensure I make routine contact to ensure an enquiry is being progressed'. The strength of opinion here suggests that these comments ought to be reflected in any redesign.

Integrity – the issues here largely boiled down to, what could be described as, inconsistency and a lack of ownership; e.g. it was suggested that 'decisions are often changed once a lot of time and effort have been put into projects'; that 'the lack of consistent information regarding contracts' presents difficulties and that 'there has been a lack of ownership of a case'. These would need to be contemplated in any redesign.

4.4 Voice of the Process Outcomes

The outcomes here are derived from the work that was done to map each of the key processes as part of the *Analyse* stage, enhanced through the Redesign process at the *Landscape* stage.

The original mapping helped to identify where the potential wastes were in each of the processes. The outcomes from the Voice of the Customer exercises, in particular, can then be utilised in revisiting the maps and redesigning; thus ensuring that the only waste removed is that which increases the effectiveness of the process or adds value, without compromising strengths, or what customers have identified to be important to their level of satisfaction.

Given the number of processes that were mapped and redesigned across both services, it is impractical to go through each one here. However, the Suggested Redesign Schedules, at Appendix E and F, provides all the detail about what has been identified as potential removable waste and an analysis of precisely what that could save the Council in either time or money; the value that would be added.

Suffice it to say, though, that a few key issues can be attributed to being identified from this process, although it will be noted that there are some consistencies compared to what came out of the previous exercises reported above.

4.4.1 Member Services

Printing

There remains a reliance on hard-copy printing/multiple printing that may not be necessary, and one instance of printing on high quality paper that would not seem necessary.

Reports

The organisation should ensure a greater compliance with its own Green Guide. Much of this also relates to Legal Services, but non-compliance is resulting in Legal and Democratic Services having more work to do than the professional Member Services and Legal role necessitates. This applies to both the quality of the content of the reports, title and depositing within the system in a timely manner and having

the reports available in accordance with the published timetable. All of this involves waste.

CoInS

The redesign sessions only served to illustrate how beneficial it would be to have the system functionality enhanced, which is discussed in detail in the report at Appendix A. Exploring the opportunity to link with Outlook, to consistently diarise events across all committees and hold all documents that the service requires, in a more user-friendly way would have massive advantages.

4.4.2 Legal Services

Client Instruction

As this forms the foundation of many of the processes in Legal Services, upon review of 30 sample ('open') cases held within the Legal team (on the IKEN system), it very quickly became evident that a more comprehensive formalisation of this aspect was going to be essential in creating an opportunity to add the value previously discussed. The evidence from the completed sample check of cases that over 60% of cases held had no real 'terms of reference' (i.e. the instruction, if any existed, was not clear). Whilst some concern was expressed that the flexibility within the service is an essential element of customer satisfaction – borne out by the Voice of the Customer exercise, to a degree – some of the irritants expressed by customers, discussed in 4.3 above, will be addressed by implementing a more focussed and comprehensive Client Instruction protocol. Those irritants include a lack of feedback and a slow response, both of which can be clarified at the outset and, thus, expectations managed better.

IKEN

We have already considered the significance of fully utilising the functionality within IKEN. The redesign sessions only served to illustrate how beneficial it would be to have the system hold a more comprehensive set of template documents, to diarise events and create reminders, to manage cases and provide feedback to clients and, ultimately, provide better and more useful management information as just a few examples of rudimentary improvements that would have massive advantages.

Automation/Electronic Based

This aspect clearly links into the improved functionality of IKEN to automate as much as is possible and streamline the service through helping staff within the service. However, it is also worth covering here the heavy reliance on paper. The cost of this is highlighted in the Redesign schedules at Appendices E&F but, as a general principle, the organisation needs to optimise the use of electronic data. Whilst the core system can assist in this, and the provision of suitable tools and devices, such as EDM and tablets, can support this, the culture needs to be appropriately developed.



Client Responsibility

The remaining key issue from the Legal Services *Voice of the Process* was the frequency with which the team members are required to either input data to client core software systems or to undertake an action that would be better served being done by the clients themselves. An example of the latter is the raising of purchase orders and paying invoices where an external resource has been commissioned for the client. An example of the former is in the Debt Recovery process, where a member of Legal Services is expected to access client core systems and input data about progress or developments on specific cases. Both of these are illustrations of waste and it is clear that Legal Services can enhance its service by not having this responsibility. However, we are aware that it is not appropriate as part of this review to shunt work to client services, therefore tasks should only be taken back by the client service where there is no detriment to them. It would also have the added benefit of them receiving some feedback as the process progresses, thus addressing one of the *Voice of the Customer* irritants into the bargain.

All of the findings from the above exercises are what leads us to draw the following conclusions in section 6, and make the recommendations in section 7.

5.0 Other areas

5.1 Outsourcing of Legal Services

CPC have explored, at a high level, the options for different Legal Services models (including outsourcing).

Any decision made by the Council to this end (whether it is to close, reduce, re-organise, outsource, mutualise or privatise a service or function) has legal and practical implications, both externally for the authority's 'customers' and internally for staff.

No such decision is straightforward, depending on the local requirements and should also involve an analysis of whether the existing Legal Service:

- Meets service user needs;
- Has the ability to keep the current staffing fully utilised; and
- Is cost effective (i.e. there is no waste within the service).

There is also a consideration of the significant opportunity cost to the Local Authority in operating a 'client' function for any outsource arrangement – and it is widely acknowledged that in-house teams must retain some independence from their organisations in order to act as an effective 'control function'.

There are innovative projects across the country with legal departments teaming up to share services. Others have become players in the wider market, pitching for places on local authority framework agreements, going head to head with private practice for work and ploughing profits back into their authority.

- A joint venture launched last year recently by Harrow and Barnet Public Law (HBPL), which is currently waiting to hear if the Solicitors Regulation Authority will license it as the first local authority alternative business structure (ABS).
- North West Leicestershire District Council is the first legal department to join CapacityGRID, which allows local authorities to provide transactional services to each other regardless of location. This approach aims to reduce the net cost of legal services for existing clients within the local authority by subsidising the service with income earned from other public sector clients.

Other approaches range from sharing services with neighbouring authorities to full-blown outsourcing, leaving behind only commissioning, compliance and monitoring officer functions.

However, the Law Society has recently stated that centralising legal teams can add value to the rest of the Local Authority. It has stated that there are many benefits, including efficiency, quick response times, knowledge sharing and leverage of resources and the removal of an 'anxiety' among service users that they may be losing dedicated legal support.

5.2 Benchmarking of Legal and Member Services

As part of the review, CPC were required to understand whether any benchmarking initiatives existed within the Local Government community (or broader Public/Private sectors) for Legal and member services.

To fulfil this requirement, CPC researched benchmarking arrangements for Local Authorities and identified that, over the past 2 years; CIPFA had attempted to establish benchmarking clubs across a range of Local Authority services. These services required a subscription of £330 per annum, per service. The cost to West Lancashire Borough Council of operating these services would amount to £990 per annum, as Debt Recovery is treated by CIPFA as separate to legal Services.

In terms of the benchmarking offering, the following services were included:

Legal Services

The CIPFA Legal Services benchmarking club collects staffing (central & local) and cost data for the Legal Services function in order to derive the number of charged hours and the cost per charged hour.

Data is collected in the following areas:

- caseload by type of work
- care proceedings
- work for/by other Local Authorities
- work for other bodies
- charging rates Staff composition

Once this information is collected, CIPFA then compare the legal cost and FTE per 1,000 population of the authority and per £1,000 gross revenue turnover for the authority.

Member Services

In this area, the CIPFA benchmarking club aims to collect staffing, cost and activity data for the following defined activities:

- Committee support
- Schools Appeals
- Member support
- Civic Mayor's Office
- Overview & Scrutiny.

Once collected, CIPFA then compare activity together with reporting costs as £1,000 per 1,000 population or per member as appropriate.

During the research, it became clear that, while CIPFA had significant buy in for ‘transactional’ services, such as Council Tax and Housing Benefit administration, the take up for Legal and Democratic Services was poor. This was mainly due to the lack of confidence of senior Legal officers countrywide, that the benchmarking arrangements were sufficiently robust to add value to the service.

6.0 Conclusions

The following conclusions have been determined as a result of the findings coming out of the *Analyse* and *Landscape* stages of *CPC Project Services VALUE Model*:

6.1 Member Services

1. Staff are clearly providing a professional service (and one that Members and Officers want) to their customers (evidenced by 9 out of 13 Voice of the Customer responses stating that they were delighted with the quality of service provided by the Member Services Team) notwithstanding reductions in staff numbers.
2. Member Services are providing an effective planning, co-ordination and network of support to the democratic and committee administration service and its customers.
3. It is essential that the Council takes steps to address the weaknesses in the functionality, integration and appearance of its ColnS system in its capacity as an internal and external communications tool.
4. Integration of the Council’s constitution within Colns or alternative Committee management systems could result in easy access for stakeholders and for updating by Member Services.
5. With reliability being such an essential ingredient for customers of the service, it is important to continually reaffirm the importance of transparency.
6. Corporate compliance with the Green Guide, and the quality and timeliness of draft reports submitted under its jurisdiction, needs to be applied with greater rigour.
7. Use of Kalamazoo paper, for printing, and double handling of documents (hard and electronic copies) means that consideration needs to be given as to whether these are exaggerating cost and building waste into processes.
8. Greater reliance could be placed upon electronic data handling, and tools provided to enable members and officers to access the electronic databases.
9. Elected Members may wish to adopt better (simpler) electronic access to online information (such as meeting agendas). There is currently access available to Members, but additional training is required – as is a standard (and simple) form of technology to allow the access (e.g. IPADs). If such a choice were made this would aid significant efficiency savings in respect of printing costs (see Appendix E to the report – specifically Agenda, Cabinet and Member Update processes).

10. There are no benchmarking initiatives with sufficient critical mass to be of use to the Council in further improving/developing the service offered to service users.

6.2 Legal Services

1. Legal Services are providing an effective and secure service to its customers and the Council as a whole.
2. The results of the Voice of the Customer report indicate that customers' 'Must haves' are currently being met. This is evidenced by the 13.3% of customers who indicated that they are delighted with the quality of service provided, while a further 73.3% indicated that they were satisfied with the service provided. This does not, however, mean that there is no room for continuous improvement.
3. It is evident that adherence to processes across the authority – particularly in relation to the Green Guide – could be improved. It is essential that some form of reaffirmation is undertaken (this has also arisen in the Member Services section, which underlines the significance).
4. Investing in a structured and standardised client instruction process is felt to be essential. At present analysis shows that there is an inconsistency of approach from client Services with instances of insufficient information being provided to Legal Services. This hampers case prioritisation and, by extension, gives rise to challenges in managing customer expectations. This is all reflected in the Voice of the Customer report shown at Appendix D.
5. The precise management of the process that would stem from taking such a step could be determined by the Council. For example, it has already begun to be discussed, by senior staff within the service, as to whether the 'triage' process (i.e. a procedure which prioritises urgent and non-urgent cases and provides a sign-post to the most appropriate resource to deal with the issue at hand) could be formalised for non-routine matters.
6. It is absolutely essential that the service optimises the use of the IKEN system. This should be explored by establishing dialogue with the software providers and clearly understanding what functionality could affordably be utilised, or developed, to address the key issues identified from within the team.
7. The clarity and frequency of communications also needs to be reviewed. Once again, this would be assisted by a more robust instruction framework, which would go a long way toward managing the expectations of customers. However, what may be worth considering is whether the IKEN system, for example, can automatically provide regular feedback to customers – even if that is only a statement of the latest position – and, in so doing, instantly remove the sense that some clients have of limited feedback on matters as they progress. This, combined with a formalised instruction process might also help to address the issues raised by clients.

8. Further work is needed to develop new MIS reports within IKEN. This will allow better management information allowing for improved performance management and re-prioritisation of tasks and priorities where appropriate.
9. Having greater control over the entry of client instructions into the service – by whichever means that is managed - will enable greater productivity.
10. Development of the Iken system might create some additional capacity to allow for the more proactive management of the Legal Services team as a whole. Issues of capacity could be addressed by increasing staffing to replace earlier reductions and thus allow for management time and to reduce turnaround times. Additionally, the temporary resource for information governance and planning work could be made permanent.
11. Addressing the output of appropriate Management Information Systems (MIS) from IKEN would also assist management and support of team members and would allow for improved reprioritisation / reallocation of matters following initial allocation.
12. There appear to be inconsistent views within the team about the level of quality assurance that the service can afford to offer, particularly in times of austerity. Some members of the Legal team believe that enhancing turnaround times may only result in marginal returns for the Council as a whole on some cases. It is also evident that some services are failing to appreciate the statutory, governance and 'propriety' role that the service must provide to the Council. By virtue of the high degree of satisfaction being scored, it would not hurt to remind customers of what the service achieves, what its role is and why, sometimes, it is necessary to proceed with caution. This would help to address some of the comments about negativity and being risk-averse. The form of its delivery would need careful thought: training; newsletters; a formal presentation on the outcomes of this organisational review, would be amongst the ideas that should be considered. This 'promotion' needs to have the backing of senior management within the authority to achieve the impact required.
13. The Council has in place a Retention and Disposal Policy developed with Legal services and now administered by Administration and Electoral Services. This is enhanced by a filing system and the case management system. Notwithstanding this storage space is fast running out, and there are restrictions in terms of resource to review and destroy old files.
14. Whilst Services often use Legal Services to assist them, by asking for Legal intervention in operational matters, and pro-activity is to be encouraged, these matters could be dealt with locally (evidenced from 'spot check' of Legal cases).
15. There are no benchmarking initiatives with sufficient critical mass to be of use to the Council in further improving/developing the service offered to service users.
16. The reason for internal Legal Services is fairly obvious, providing they are demonstrably economic, efficient and effective. Since they are not budgeting for proprietor profit they need only charge services at cost. And providing they are 'lean' both in systems and staffing and have frequent functional reviews so they

are providing only those core, regularly required functions and services which they can economically, efficiently and efficiently provide, they are likely to represent the best solution for local taxpayers. For internal local authority lawyers also give the advantage of being integrated into the central constitutional operations of the authority, have an understanding of its history, political idiosyncrasies and nuances and are continually alert to safeguarding their authority's legal welfare.

7.0 Recommendations

The following recommendations have been developed, following analysis of the findings and conclusions drawn, in sections 4 and 6 respectively above:

7.1 Member Services

1. Continue to maintain effective planning, co-ordination and provision of a network of support to the democratic and committee administration service and its customers.
2. Renew the Northgate (CoInS) system for a minimum one year period, while discussions are had with the supplier to discuss plans to:
 - a. maintain support levels in the medium/long term (i.e. to August 2018);
 - b. develop functionality; and
 - c. Investigate participation in a CoInS user group on a regular basis.
3. Subject to points 2a – 2c (above) being achievable, the CoInS contract be extended for a further 3 years (i.e. to August 2018).
4. Should points 2a – 2c not be achievable, that the Modern.Gov option be adopted as the preferred option with effect from August 2015, subject to sufficient funding being made available.
5. As part of the functionality referred to in 2b, take steps to address the content, accessibility and presentation of the Council's democratic data, including - the integration of that system with the Council's constitution resulting in easy access for stakeholders and updating by Member Services Officers.
6. Continue to reaffirm the importance of transparency, so that customers, staff and stakeholders feel reassured of objectivity and transparency; addressing the significance of reliability in the process.
7. Reaffirm the significance of compliance with the Green Guide with the use of the local champions.
8. Review and overhaul the use of printed copy and the use of Kalamazoo-quality paper for minute books, with a view to placing greater credence and reliability upon electronic data-handling.

9. Consider implementing appropriate process-specific improvements identified within the Redesign Schedule attached at Appendix E. Implementation of appropriate changes (with the exception of the service software) can be done as part of the Member Services day to day roles , with support from a short term post of Practice Administrator.
10. Providing Elected Members with IPADs to facilitate easy electronic access to papers and Members choosing electronic access only could potentially save over 613,000 printed sides of paper per annum. Further details are provided in Appendix E to this report.
11. That the financial cost (in terms of both subscription and the opportunity cost of managing benchmarking information) of joining a benchmarking initiative (e.g. CIPFA), outweighs the benefit, due to the lack of critical mass in the Democratic Services area.

7.2 Legal Services

1. Approve and adopt the new client instruction process, and associated forms, developed during the redesign stage. Introduce a formalised 'triage' process for non-routine matters where instructions are channelled to the Borough Solicitor, who can scope the Instruction and allocate a priority and timescale for completion of the work.
2. As part of this formalised process, implement an 'Urgent Stream'. This approach will provide the level of flexibility required of a dynamic Legal Service, whilst maintaining a degree of control over priorities. This will require approval from Heads of Service to ensure that not all cases are classified as 'urgent'. Legal Services Triage would also be required to signify agreement before a case is treated as urgent and fast-tracked.
3. Optimise the use of functionality within the IKEN system by clearly understanding what functionality could affordably be utilised, or developed, to address the key issues identified from within the team. Create the short term resource of Practice Administrator to explore and develop the workflow functionality within IKEN to automatically provide regular feedback to customers – even if that is only a statement of the latest position. Organise further training for professional and support staff to enable use of the Iken system to be maximised.
4. Investigate via the short term post of Practice Administrator the opportunity for greater quality management information from within the system. Improved IKEN functionality will allow more informed decision making and better resource/workload management.
5. Addressing the output of appropriate MIS from IKEN would assist in providing management and support of the team members and would allow for the improved reprioritisation / reallocation of matters following initial allocation.

6. Clearly determine the standard to which cases should be worked (to avoid small gains against increased effort). Undertake some degree of service 'promotion' on the back of this review to help staff understand what the Legal Service can 'do for them'. The form of this promotion will need careful thought, with a potential requirement for training; newsletters and a formal presentation on the outcomes of this organisational review. Introduce an annual meeting with Heads of Service when preparing service action plans each year to factor in requirements for Legal Services and identify resources (internal or external).
7. Through the short term post of Practice Administrator review solutions for document storage/retention, given the restrictions in storage space.
8. Reaffirm the significance of compliance with the Green Guide, through staff training and more proactive use of local champions (for example through awareness sessions).
9. Review via the short term post of Practice Administrator the use of printed copy with a view to placing greater credence and reliability upon electronic data-handling where practicable. Explore the use of (encrypted) handheld devices for Court to enable remote working whilst waiting for case(s) to be called.
10. Implement the process-specific improvements identified within the Redesign Schedule attached at Appendix F with the assistance of a short term post of Practice Administrator and a two year fixed term post of Assistant Solicitor or Trainee Solicitor.
11. Whilst proactive work is essential, appropriate use of Legal services should be encouraged, for example not using Legal Services for simple operational matters. This can be addressed as part of the client instruction process and Triage approach as detailed in Recommendations 1 and 2 (above).
12. That the financial cost (in terms of both subscription and the opportunity cost of managing benchmarking information) of joining a benchmarking initiative (e.g. CIPFA), outweighs the benefit, due to the lack of critical mass in the Legal Services area.
13. Given that the Council's Legal Service is Lean; the level of service user satisfaction; the high utilisation of staff and the service improvement recommendations herein, there appears to be a clear 'best fit' for the Council – to retain an efficient, effective and Lean in-house Legal services team. This can be added to through external support where specialist, sensitive or infrequently required services are needed, or to add to internal capacity due to workload peaks.

Implementation of these recommendations could be completed internally, using the short term post of Practice Administrator and a two year fixed term post of Trainee or Assistant Solicitor. The objective of implementing these recommendations would be to enable the reductions in staffing from the earlier exercises identified, to be embedded in the context of increasing rather than decreasing workloads. In the current financial climate, permanent increase in staffing to match service demands is not favoured. Once these measures are implemented an assessment of the



match of staffing resource to instructions received needs to be undertaken, as if workload cannot be contained/reduced or turnaround times acceptable to Clients met then further consideration will have to be given to re-establishing posts.



West Lancashire Borough Council

Member Services

CoInS Review and Option Appraisal

CPC Project Services LLP

Mike Hughes

February 2014

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1.0 Introduction and Background

On 25th June 2013, the Members Services team raised a Business Enquiry with OCL to request assistance to look at alternative systems for the management and administration of Member Services, including production of electronic agendas, reports and minutes and published details of Councillors, Parishes and MPs – all things which are produced by the incumbent software (ColnS) produced by Northgate Public Services.

The Council Information System was purchased in 2004 from Anite plc, which was later acquired by Northgate Public Services in 2008 and rebranded to Northgate Information Solutions UK Limited in 2009. In 2009 a five year contract was negotiated which ran from 1 August 2009 to 31 July 2014, which means that ColnS is due to expire on 1 August 2014. Any new contract will need to run from 1 August 2014.

The Council's over-arching requirement is to understand whether it is using the most appropriate and cost effective system. The requirement in more detail is:

- To ensure that the new system has maximum (practical) functionality – with the existing ColnS system being the baseline and the minimum standard of functionality accepted;
- To ensure that any system chosen is cost effective to run over a four year period; and
- To ensure that any system is fully supported for a four year period.

2.0 Methodology

In order to fully assess the suitability of the existing/any new computer system for Member Services, the following steps were taken:

1. Identify Investment Objectives and Critical Success Factors;
2. Identify a long list of options (suppliers);
3. Filter long list of options to short list (using advantages and disadvantages);
4. Identify SWOT for each short-listed option;
5. Identify ALL costs for each short-listed option;
 - Software and licensing costs;

- Implementation costs (including consultancy/project management and migration costs);
 - Any hardware costs;
 - Annual support costs (over a four year period);
 - Training costs;
 - Transitional costs (e.g. storage on Northgate); and
 - Any resource costs from OCL.
6. Appraise short listed options - using the NPV approach, over a 4 year period (and using a discount factor of 3.5% as per HM Treasury 'Green Book');
 7. Receive demonstrations from all of the short-listed options and complete a qualitative assessment; and
 8. Identify preferred option.

The preferred option has then been recommended in this paper.

3.0 Investment Objectives

For this process, the following Investment Objectives were developed with the Member Services team:

1. To maximise functionality with an aim of streamlining the administration of Member Services;
2. To ensure the cost effectiveness of the Member Services system;
3. To ensure that the member Services system is fully supported by the software supplier for a full 4 year period;
4. To ensure that the skill-sets required to (internally) support the Members Services system are available/held by OCL.

4.0 Critical Success Factors

Similarly, Critical Success Factors were developed with the Member Services team, using HM Treasury guidance (from the 'Green Book' on the approach).

The Critical Success Factors (CSFs) are as follows:

CSF1: Business Needs

- The option must satisfy all of the Investment Objectives and associated business needs determined for the initiative.
- The option must be the best fit with the demands for skills of the business.

CSF2: Potential Value for Money (VFM)

- The option must maximise return on the required investment in terms of economy, efficiency and effectiveness.
- The option must minimise associated risks.

CSF3: Potential Achievability

- The option needs to be accepted by system users and system supporters
- There must be the management capacity, skills and vision to deliver the change
- Appropriate governance and management arrangements need to be deployed.

CSF4: Potential Affordability

- The required capital investment is available.
- The financial and non-financial benefits must more than repay the investment.

5.0 Long List of options

The long list of options is:

1. Do Minimum (i.e. resign to use the existing ColnS system for a period of 4 years)
2. Procure and install Modern.gov software
3. Procure and install Astech software (CMIS);
4. Procure and install Web-labs software;
5. Procure and install IDOX software
6. Procure and install Xpress software
7. Procure and install Consilia Ltd software

Table 1 - Options

Reference:	Option 1 Do Minimum	Option 2 Modern.Gov software	Option 3 Astech (CMIS) software	Option 4 Web- labs software	Option 5 Idox software	Option 6 Xpress software	Option 7 Consilia Ltd software
Investment Objectives							
1. To maximise functionality with an aim of streamlining the administration of Member Services	?	✓	✓	?	✗	✗	✗
2. To ensure the cost effectiveness of the Member Services system	✓	?	?	?	?	?	?
3. To ensure that the member Services system is fully supported by the software supplier for a full 4 year period	?	✓	✓	✓	?	?	?
4. To ensure that the skill-sets required to (internally) support the Members Services system are available/held by OCL	✓	✓	✓	✓	✓	✓	✓
Critical Success Factors							
Business Need	✓	✓	✓	✓	✗	✗	✗
Potential VFM	✓	?	?	?	?	?	?
Potential achievability	✓	✓	✓	✓	✓	✓	✓

Affordability	✓	?	?	?	?	?	?
	Preferred	Possible	Possible	Possible	Discounted	Discounted	Discounted

6.0 Short list of options and SWOT analysis

Table 2 – SWOT Analysis Option 1

Option 1 – Do Minimum (retain Northgate)	
Strengths	Weaknesses
<ul style="list-style-type: none"> • Familiarity • Business continuity • Cost • Reliability • Less risk (we know it works) • Tried and tested product • Good working relationship with supplier 	<ul style="list-style-type: none"> • Falling user base • No user group in North West • Limited functionality • System prone to ‘quirky’ faults – which always follows upgrades
Opportunities	Threats
<ul style="list-style-type: none"> • To spend capital on other priorities • To complete a full market test of other suppliers and software 	<ul style="list-style-type: none"> • Ongoing support for the system is not guaranteed • Falling user sites may exacerbate this

Table 3 – SWOT Analysis Option 2

Option 2 – Procure and install Modern.gov software	
Strengths	Weaknesses
<ul style="list-style-type: none"> • Optimised functionality • Supplier staff knowledgeable and experienced in the service area • Strong user groups (including North West) • Staff ‘preferred’ option 	<ul style="list-style-type: none"> • Cost • Feedback from other users that work-flow functionality is difficult to implement • 6 month lead in for data migration
Opportunities	Threats
<ul style="list-style-type: none"> • Improved system functionality will release staff time to be more proactive with members 	<ul style="list-style-type: none"> • Lack of system knowledge may impact on performance in the short term

<ul style="list-style-type: none"> Builds better networking opportunity 	<ul style="list-style-type: none"> Supplier customer base in growing too quickly – meaning that lead in times may increase and supplier becomes less responsive Accuracy of migrated data
--	---

Table 4 – SWOT Analysis Option 3

Option 3- Procure and implement Astech Software (CMIS)	
Strengths	Weaknesses
<ul style="list-style-type: none"> Improved functionality Easiest system to use (staff feedback) Strong customer base Strong user group ethos Feedback from other users is that system is easiest to use in the market 	<ul style="list-style-type: none"> Cost Too much like current COINS No user group in the North West
Opportunities	Threats
<ul style="list-style-type: none"> Improved system functionality will release staff time to be more proactive with members Builds better networking opportunity 	<ul style="list-style-type: none"> Lack of system knowledge may impact on performance in the short term Supplier customer base in growing too quickly – meaning that lead in times may increase and supplier becomes less responsive Accuracy of migrated data

Table 5 - SWOT Analysis Option 4

Option 4 – Procure and install Web-labs software	
Strengths	Weaknesses
<ul style="list-style-type: none"> Functionality is good, but limited in parts High quality staff 	<ul style="list-style-type: none"> Cost Significant functionality yet to be developed No bespoke user group Add on modules (i.e. online documents) cost more and is less efficient Not a ‘drag and drop’ system (same as COINS)
Opportunities	Threats
<ul style="list-style-type: none"> To design a system that best suits the Council 	<ul style="list-style-type: none"> Limited support to develop system

<ul style="list-style-type: none">• To add on electronic voting module	<ul style="list-style-type: none">• Lack of system knowledge may impact on performance in the short term• Accuracy of migrated data
--	--

7.0 Investment Appraisal

The investment appraisal for each of the short-listed items is shown below. The table shows the specific costs for each short-listed item, on both an undiscounted and Net Present Value basis (over 5 years).

Table 6 – Investment Appraisal Option 1

Option 1 – Do Minimum (retain Northgate)		
	Undiscounted (£)	Net Present Value (£)
Software, Licenses and Implementation	£0	£0
Annual Support	£5,654	£5,654
Transition Costs (OCL)	£1,700	£1,700
Total costs	£7,354	£7,354

Table 7 – Investment Appraisal Option 2

Option 2 – Procure and install Modern.gov software		
	Undiscounted (£)	Net Present Value (£)
Software, Licenses and Implementation	£12,500	£12,500
Annual Support	£26,000	£23,875
Transition Costs (OCL)	£6,740	£6,740
Total costs	£45,240	£43,115

Table 8 – Investment Appraisal Option 3

Option 3 - Procure and implement Astech Software (CMIS)		
	Undiscounted (£)	Net Present Value (£)
Software, Licenses and Implementation	£12,500	£12,500
Annual Support	£36,480	£33,355
Transition Costs (OCL)	£6,740	£6,740
Total costs	£55,720	£52,595

Table 9 - Investment Appraisal Option 4

Option 4 – Procure and install Web-labs software		
	Undiscounted (£)	Net Present Value (£)
Software, Licenses and Implementation	£15,000	£15,000
Annual Support	£16,000	£14,692
Transition Costs (OCL)	£6,740	£6,740
Total costs	£37,740	£36,432

Summary of Investment appraisal

Table 10 – Option Rankings

Option	Ranking
Option 1 – Do Minimum (retain Northgate)	1
Option 2 – Procure and install Modern.gov software	3
Option 3 - Procure and implement Astech Software (CMIS)	4
Option 4 – Procure and install Web-labs software	2

8.0 Qualitative Appraisal

In addition to the financial investment appraisal, it was deemed prudent to complete a qualitative assessment of the various options, using demonstrations from the short-listed suppliers (options) as a baseline for comparison.

As part of this process, the Member Services team agreed both the categories of assessment and weighting:

- Functionality (40% weighting)
- Ease of installation and data migration (10% weighting)
- Fit with LA ICT strategy (10% weighting)
- Cost (20% weighting)
- Ease of support (10% weighting)
- Track record (10% weighting)

Table 11 - Qualitative Assessment

COINS Option Appraisal scores											
Assessment group	Rank	Weight	Maximum Score	Workshop Scores				Weighted Scores			
				COINS	Modern Gov	CMIS	Web Labs	COINS	Modern Gov	CMIS	Web Labs
Functionality		40	20	12.00	16.00	11.00	14.00	480	640	440	560
Ease of installation		10	20	19.00	13.00	11.00	14.00	190	130	110	140
Fit with ICT strategy		10	20	19.00	16.00	12.00	15.00	190	160	120	150
Cost		20	20	19.00	11.00	17.00	14.00	380	220	323	154
Ease of support		10	20	19.00	15.00	11.00	14.00	190	300	209	210
Track record		10	20	14.00	17.00	12.00	13.00	140	170	120	130
TOTAL		100		102	88	74	84	1570	1620	1322	1344
Rankings								2	1	4	3

The outcome of the qualitative appraisal shows that Option 2 (Procure and install the Modern.Gov software) is the preferred option for the system users. However, the COINS system came a close second in the qualitative process, out-scoring the two other potential suppliers.

9.0 Summary of Appraisals

The results of the investment appraisal are outlined below. Option 1 has the best aggregate score, followed by Option 2 and then Options 4 and 3 respectively.

The overall conclusion from this analysis is that Option 1 (Do Minimum – retain Northgate) offers the best mix of economic value and qualitative benefits and is therefore the preferred option.

Table 12 - Investment Appraisal

Evaluation Results	Option 1 Do Minimum (Retain Northgate)	Option 2 Procure and install Modern.Gov software	Option 3 Procure and install Astech software (CMIS)	Option 4 Procure and install Web Labs software
Investment Appraisal	1	3	4	2
Qualitative Appraisal	2	1	4	3
Overall Ranking	1	2	4	3

10.0 Recommendations

Following the Investment and qualitative appraisals, it is recommended that

1. The Northgate (ColnS) system is renewed for a minimum one year period, while discussions are had with the supplier to discuss plans to:
 - a. maintain support levels in the medium/long term (i.e. to August 2018);
 - b. develop functionality; and
 - c. Investigate participation in a ColnS user group on a regular basis.
2. Subject to points 1a – 1c being achievable, the ColnS contract be extended for a further 3 years (i.e. to August 2018).
3. Should points 1a – 1c should not be achievable, that the Modern.Gov option be adopted as the preferred option with effect from August 2015, subject to sufficient funding being made available.

Appendix B

West Lancashire Borough Council

Member Services

Voice of the Customer Exercise

CPC Project Services LLP

Mike Hughes

March 2014

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1.0 Introduction and Background

As a fundamental part of CPC's Lean methodology, the Voice of the Customer is an exercise that is completed during the analysis phase of the VALUE model.

In this instance, the Elected Members and Departmental Service Heads of West Lancashire Council are the customers.

The purpose of this timing and approach is to understand what the customer values in a product/ service and what they don't. In undertaking this survey in parallel with the comprehensive value stream mapping exercise(s), we are better able to understand what can be categorised as waste, before we consider options for future redesign.

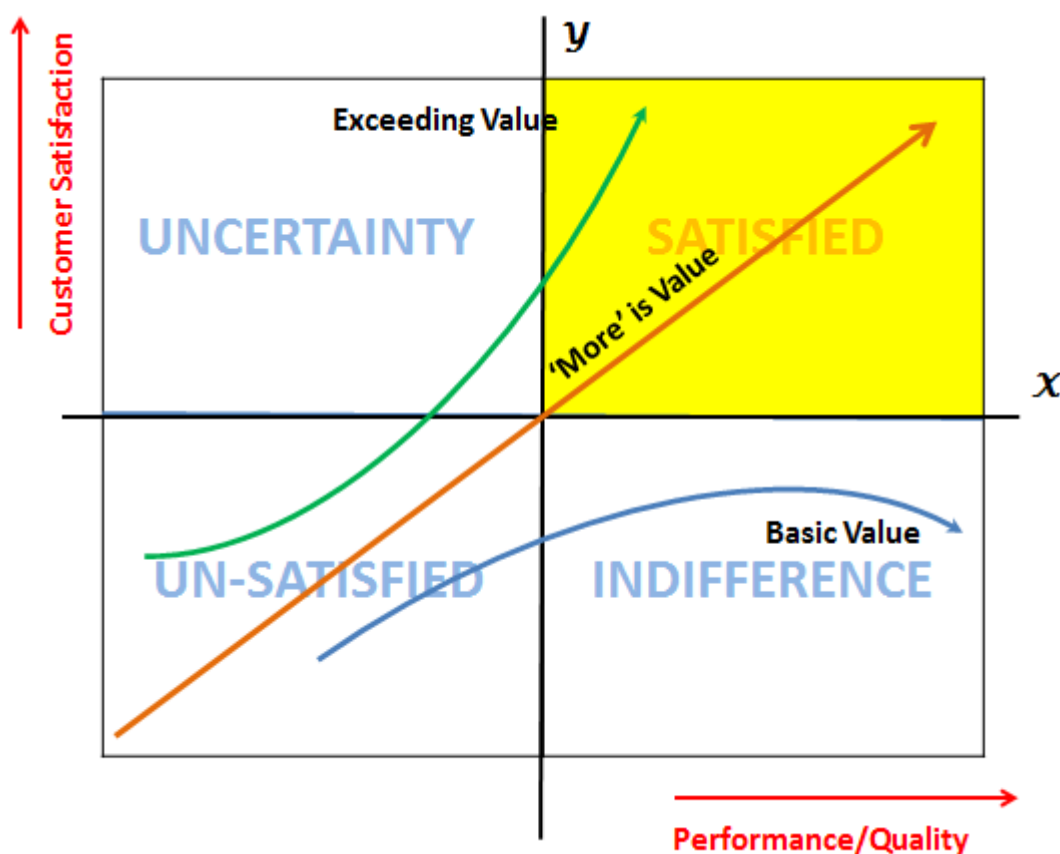
The idea of the consultation exercise is to understand the customers 'Musts', 'Wants' and 'Wows' in a service offering, to in turn understand what the service should provide as a bare minimum, what the customers really require from a 'good' service and what small additions may provide **the customer with an excellent service (or, as the other side of the same coin) be very expensive for little additional benefit to the organisation.**

The ultimate purpose is to understand customer issues. This is an adaptation of the Kano approach, which is explained in more detail below.

2.0 The Kano Concept

Kano's model (Appendix A) explains that for some customers, customer satisfaction is dramatically increased with only a small improvement in performance, while for others, satisfaction is only increased by a small amount even when the product performance is greatly improved.

If the level of customer satisfaction is plotted on a vertical axis (x), and the degree of performance/quality of service that the product achieves on the horizontal axis (y), different types of customer needs can be shown to cause widely different responses.



Kano's Four Beliefs

It is not a new idea to begin the process of designing a product or service with the needs and expectations of the customer in mind. However, Kano's work goes far beyond just drawing up a list of "Customer Requirements" and trying to meet or exceed as many of them as possible. His analysis is based on four key beliefs:

1. That unspoken expectations of customers, are as important to understand as those that are clearly stated. Kano Analysis uncovers these expectations.
2. That for some (not all) customer requirements, the better a service or product performs, the more satisfied a customer feels, and vice versa. This is the "One-Dimensional" Quality that forms the diagonal line in the Kano Diagram. These are the stated and well-understood service or product "specifications" that customers use when comparing services against requirements (or from experience with other service providers).
3. That there are some customer requirements that don't move in a straight line (Basic Values/Musts and Exceeding Values/Wows). The curve in "Must-be" requirements shows that customers don't become more satisfied as the service or product meets their expectations. In this category they only notice (and become dissatisfied) when it does NOT perform. Likewise, in the "Attractive Quality" curve, customers become VERY satisfied when they get something in this category because they did NOT expect this performance at all. They're "delighted". When it's not there, they don't become dissatisfied since they did not expect it in the first place.
4. That you can identify all three types of Customer Requirements (Must-Be, One-Dimensional & Attractive) through a carefully designed survey. In a Kano Method Survey, customers are asked how they feel when a requirement is met and how they feel when that same requirement is NOT met.

While the West Lancashire Borough Council Voice of the Customer exercise is based on Kano principles, it does not follow the Kano methodology exactly, although it does take into account the 'Musts' 'Wants' and 'Wows' from the 'customers' of the Member Services Section at West Lancashire Borough Council.

This survey has been coordinated by an administrative officer in association with CPC staff.

3.0 The Sample

Who

All Elected Members and all Departmental Service Heads of the Council were surveyed, to ensure a comprehensive response with regard to the services they received (in respect of Member Services' operation and administration).

How

Voice of the Customer questionnaires were issued to all Elected Members on 17th January 2014, with a request for completion and return by 31st January 2014. Questionnaires were sent to all Departmental Service Heads during week commencing 10th February 2014, with a request for completion by 28th February 2014.

A Survey Template utilised for the surveys can be found in Appendix B.

What, When and Where

Ten completed questionnaires were returned by elected members in the allotted time. Six completed questionnaires were returned by Departmental Service Heads in the allotted time, plus an additional return from a conglomerate of seven service heads in one service; meaning that in total 23 responses are included in the analysis and the results compiled into the following categories.

The Results

The general summary responses are contained overleaf, in a cumulative 'scoring' effect.

It is evident that 'Meeting Dates & Times' are the most common cause for users to contact the service, and may have a causal link to the amount of time spent on dealing with queries, identified in the WIL0 returns from team members. Consequently, it should be possible to identify a resolution.

It is no surprise that phone and email are the most popular forms of contact; and email should continue to be encouraged, as this allows the service a greater opportunity to plan resource allocation.

It is encouraging to see that 9 out of 13 scores indicated that they are delighted with the quality of service provided. It should also be acknowledged that one of the 'satisfied' scores was actually from the conglomerate response mentioned above. In total, only one respondee was dissatisfied, and even this was referenced about another service entirely! Meaning that overall there is a very high degree of satisfaction.

The Service use indicated can be classified as:

<input type="checkbox"/>	ColnS (Council Information System)	6
<input type="checkbox"/>	Obtaining Minutes/Decisions	4
<input type="checkbox"/>	Obtaining Agendas/Reports	5
<input type="checkbox"/>	Meeting dates/Times	10
<input type="checkbox"/>	Constitutional/Procedural Advice including Motion/Amendment Preparation	5
<input type="checkbox"/>	Code of Conduct (Declarations of Interest / Register of Interests Form)	2
<input type="checkbox"/>	Support Services (Member Training, IT, stationery, etc.)	5
<input type="checkbox"/>	Grants (Community Chest / Voluntary Bodies etc.)	4
<input type="checkbox"/>	Civic Matters	4
<input type="checkbox"/>	Other (Please state):	3
_____Check dates of briefings/appointment of a 3 rd party to an outside body/Members Allowance scheme_____		

The Form of the Contact can be summarised as:

In person (i.e. at offices)	5
Email	10
Phone	8
Letter	
Other	1(via 3 rd party)

The Overall Satisfaction levels with the Service can be summarised as:

	Delighted	<input type="text" value="9"/>
	Satisfied	<input type="text" value="3"/>
	Un-satisfied	<input type="text" value="1"/>

The more specific responses contained in the surveys have been collated in paragraphs 4.1 and 4.2 below.

4.0 Member Services

4.1 Customer Requirements

The Kano requirements of the 23 Service Users surveyed are set out at paragraph 4.3.1 of the main report.

4.2 Customer Irritants

When asked for more specific details about their experience(s) with Member Services, and in particular their main irritants, there were very few 'issues identified'. It is important to understand that, in the main, the points have been raised more as a 'risk', as opposed to them actually materialising as an issue. Those that were identified as significant have been aligned with the 'Musts' from the table above and the following conclusions drawn are set out in paragraph 4.3.3 of the main report.

5.0 Customer Feedback

5.1 Customer Comments

In any exercise of this nature it is important not to lose sight of the positive feedback from customers and to maintain some balance. In this instance, that positive feedback was common, and includes the following:

- “I am quite satisfied with the service.”
- “I am entirely satisfied with the service.”
- “I have always found Members Services to be very helpful.”
- “I have served as a Councillor for the last x years and Member Services have consistently provided a professional and excellent service.”
- “I have always found the staff to be very friendly and helpful.”
- “Staff are pleasant to deal with and very committed to their roles and the Council. Helpful to have a corporate resource of this nature with staff who understand how the Council as a whole works, not just simply one service in it.”
- “Generally happy with the service.”
- “The Member Services have assisted me in the preparation of reports for Council and Cabinet sometimes at very short notice with kindness.”

The nature of those comments is general, rather than about specific aspects of the service, so more difficult to identify what *not* to change; indeed it may well indicate that not much needs to change. However, it is essential that any redesign must take care not to weaken the particular strengths of the service.

5.2 Direction of Travel

It is clear from these results the customer perception of the council’s service is that the customer’s basic level of desired service (in particular, ‘Musts’ and ‘Wants’) is generally being met adequately. That does not, however, mean that improvements could not still be made.

Further work would need to be done to understand more fully the Cost v Benefit profile of the ‘Wants’ and ‘Wows’ in particular.

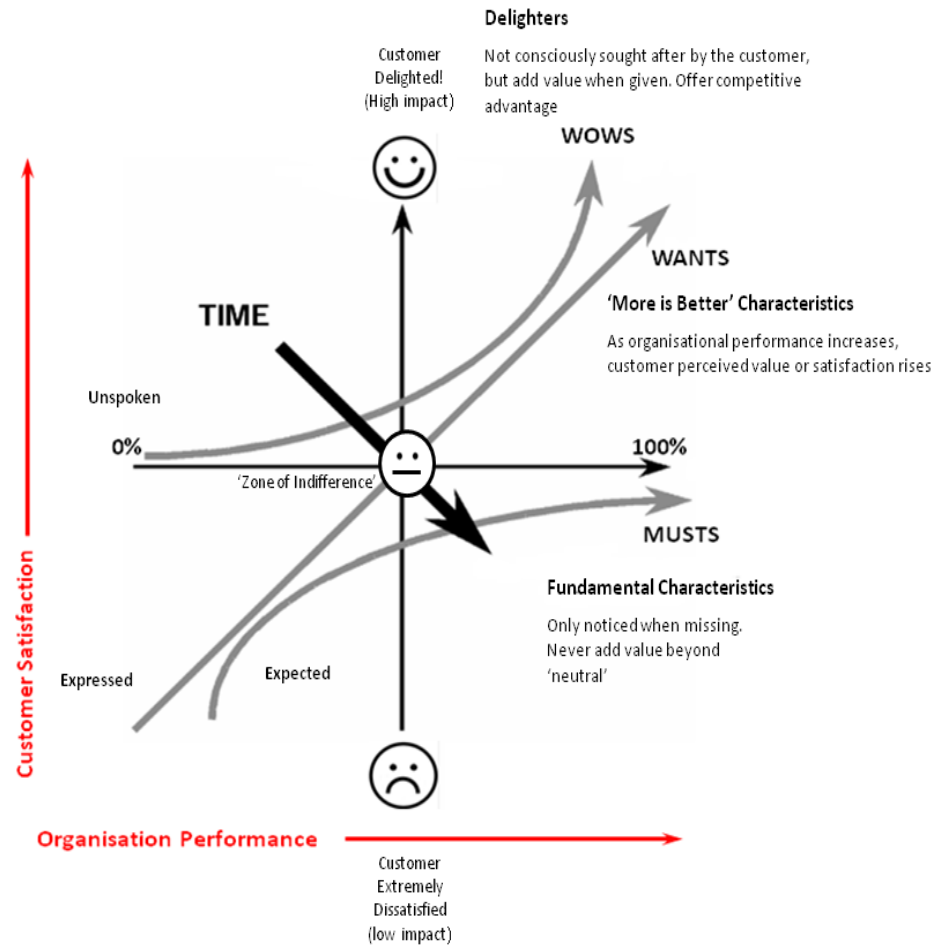
The overall customer feedback does indicate some limited direction to the way aspects of the overall service could be reviewed/redesigned. This can be summarised as follows:

- Continue to maintain effective planning, co-ordination and provision of a network of support to the Council and its customers whilst taking into account earlier reductions in the staffing;

- It is essential that the Council takes steps to address the content, accessibility and presentation of its democratic data; this is a direct reference to the functionality and appearance of its CoInS system in its capacity as an internal and external communications tool;
- Review the integration of that system with the Council's Constitution and governance, to ensure appropriateness and compliance, resulting in effective communication to stakeholders;
- With reliability being so essential and the Council's Constitution being so complex it is important to continually reaffirm the importance of transparency, so that customers, staff and stakeholders feel reassured of objectivity and transparency.

6.0 Appendix A

The Kano Model



7.0 Appendix B

Voice of the Customer Survey



1. Have you had direct contact with Member Services recently? (Approx. The last month)

YES

NO

If so, what was the contact in respect of?

<input type="checkbox"/>	ColnS (Council Information System)
<input type="checkbox"/>	Obtaining Minutes/Decisions
<input type="checkbox"/>	Obtaining Agendas/Reports
<input type="checkbox"/>	Meeting dates/Times
<input type="checkbox"/>	Constitutional/Procedural Advice including Motion/Amendment Preparation
<input type="checkbox"/>	Code of Conduct (Declarations of Interest / Register of Interests Form)
<input type="checkbox"/>	Support Services (Member Training, IT, stationery, etc.)
<input type="checkbox"/>	Grants (Community Chest / Voluntary Bodies etc.)
<input type="checkbox"/>	Civic Matters
<input type="checkbox"/>	Other (Please state):
<hr/>	

2. If so, what specifically for?

3. How did the contact take place?

In person (i.e. at offices)	
Email	
Phone	
Letter	
Other	

4. What did you think of the overall service?

	Delighted	<input type="checkbox"/>
	Satisfied	<input type="checkbox"/>
	Un-satisfied	<input type="checkbox"/>

5. What are your **MUSTs** – the minimum you expect from the service

Reliability		Good communication	
Timeliness		Good advice/guidance	
Consistency		Accessible	
Good Customer Service (To Member)		Trust	
Ownership of Query		Impartial advice/guidance	
Treated with Respect		Others:	
Friendliness			
Acknowledgement			

Additional Comments:

6. What are your **WANTs** – what would we need to do to improve your experience of the Members' Services function?

7. What would be your **WOWs** – what could the Members Services Team do to leave you feeling delighted?



8. What (if any) are your primary irritants about the service?

Cause of Irritation	How often does this occur?

9. Any other feedback, comments you would like to make?

Thank you for taking part in this survey

Appendix C

West Lancashire Borough Council

Legal Services

Voice of the Staff Exercise

CPC Project Services LLP

Mike Hughes

April 2014

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1.0 Introduction and Background

As a fundamental part of CPC's Lean methodology, the Voice of the Staff is an exercise that is completed during the analysis phase of the VALUE model.

In this instance, the Legal Services Team were the staff involved.

The purpose of this timing and approach is to understand what the staff, employed within the service, feel about the value of their product/service and what concerns them. In undertaking this survey in parallel with the comprehensive value stream mapping exercise(s), we are better able to understand what can be categorised as waste, before we consider options for future redesign.

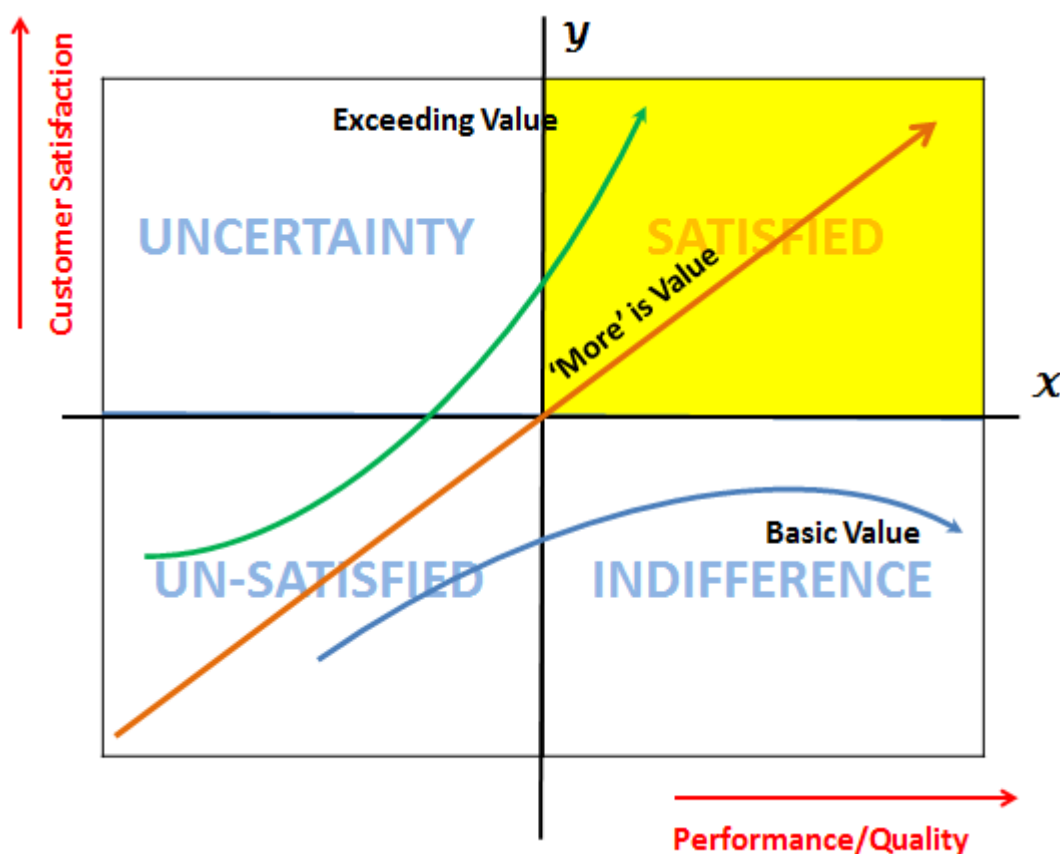
The idea of the consultation exercise is to try and understand the staff 'Musts', 'Wants' and 'Wows' in a service offering, to in turn understand what the service should provide as a bare minimum, what the staff really feel would constitute a 'good' service and what small additions may provide **the customer with an excellent service (or, as the other side of the same coin) be very expensive for little additional benefit to the organisation.**

The ultimate purpose is to understand the issues being experienced by those working within the service, and to inform understanding of customer issues. This is an adaptation of the Kano approach, which is explained in more detail below.

2.0 The Kano Concept

Kano's model (Appendix A) explains that for some customers, customer satisfaction is dramatically increased with only a small improvement in performance, while for others, satisfaction is only increased by a small amount even when the product performance is greatly improved.

If the level of customer satisfaction is plotted on a vertical axis (x), and the degree of performance/quality of service that the product achieves on the horizontal axis (y), different types of customer needs can be shown to cause widely different responses.



Kano's Four Beliefs

It is not a new idea to begin the process of designing a product or service with the needs and expectations of the customer in mind. However, Kano's work goes far beyond just drawing up a list of "Customer Requirements" and trying to meet or exceed as many of them as possible. His analysis is based on four key beliefs:

1. That unspoken expectations of customers, are as important to understand as those that are clearly stated. Kano Analysis uncovers these expectations.
2. That for some (not all) customer requirements, the better a service or product performs, the more satisfied a customer feels, and vice versa. This is the "One-Dimensional" Quality that forms the diagonal line in the Kano Diagram. These are the stated and well-understood service or product "specifications" that customers use when comparing services against requirements (or from experience with other service providers).
3. That there are some customer requirements that don't move in a straight line (Basic Values/Musts and Exceeding Values/Wows). The curve in "Must-be" requirements shows that customers don't become more satisfied as the service or product meets their expectations. In this category they only notice (and become dissatisfied) when it does NOT perform. Likewise, in the "Attractive Quality" curve, customers become VERY satisfied when they get something in this category because they did NOT expect this performance at all. They're "delighted". When it's not there, they don't become dissatisfied since they did not expect it in the first place.
4. That you can identify all three types of Customer Requirements (Must-Be, One-Dimensional & Attractive) through a carefully designed survey. In a Kano Method Survey, customers are asked how they feel when a requirement is met and how they feel when that same requirement is NOT met.

While the West Lancashire Borough Council Voice of the Staff exercise is based on Kano principles, it does not follow the Kano methodology exactly, although it does where possible take into account the 'Musts' 'Wants' and 'Wows' from the 'staff' of the Legal Services Section at West Lancashire Borough Council.

This 'survey' was conducted by CPC staff in face-to-face interviews with team members in February 2014 and considered aspects of the service provided by the Council.

3.0 The Sample

Who

All members of the permanent Legal Services establishment were surveyed, to ensure as comprehensive coverage and responses as possible (in respect of Legal Services' operation and administration) were obtained about the services they provide.

How

The Voice of the Staff surveys were conducted via personal interview during weeks commencing 3rd and 10th February 2014.

A Survey Template can be found in Appendix B which, whilst the interviews did not follow this script rigidly, provides a flavour for the types of issues discussed in the interviews.

What, When and Where

Nine completed interviews, undertaken at West Lancs. Borough Council Offices at Derby Street, Ormskirk, provide the substance to the outcomes detailed in this report.

The Results

The general summary responses are contained below in sections 4 and 5.

It is evident that there are some clear key irritants, some decisive 'Must Haves' and some general pointers about office organisation. All of which enables some neat summary assessment and fairly clear suggested direction of travel to move the service forward.

4.0 Legal Services

4.1 Staff Requirements

The Kano requirements of the 9 Service members surveyed are set out at paragraph 4.2.2 above.

4.2 Staff Irritants

When asked for some specific details about their views on the service that the team provides, and in particular their main irritants, there were a number of 'issues identified'. Those that were identified have been aligned with the 'Musts' and 'Wants' from the table above and the conclusions drawn are set out at paragraph 4.2.2.

5.0 Customer Feedback

5.1 Customer Comments

In any exercise of this nature it is important not to lose sight of any positive feedback from staff and to maintain some balance. Whilst the structure of the survey was aimed primarily at identifying ‘irritants’, there was still the following positive feedback:

- “... in addressing issues (such as Client Instruction), we should not lose sight of the bespoke advantages that enable the team to deliver Legal Services+.”;
- “...the service is delivering what it needs to and is an experienced team that has been together for several years.”

The nature of those comments is general, rather than about specific aspects of the service, so more difficult to identify what not to change. However, it is essential that any redesign must take care not to weaken the particular strengths of the service.

5.2 Direction of Travel

It is clear from these results that the staff feel that a good service is being delivered but, ‘could do better’ in relation to the use of Iken. The detail provided in paragraph 4.2.2 above provides some good pointers about the aspects of the service that need to be reviewed.

Whilst further work might need to be done to understand more fully the Cost v Benefit profile of all ideas for improvement, and the ‘Wants’ in particular.

So, the overall staff feedback does indicate some fairly clear direction to the way aspects of the overall service could be reviewed/redesigned. This can be summarised as follows:

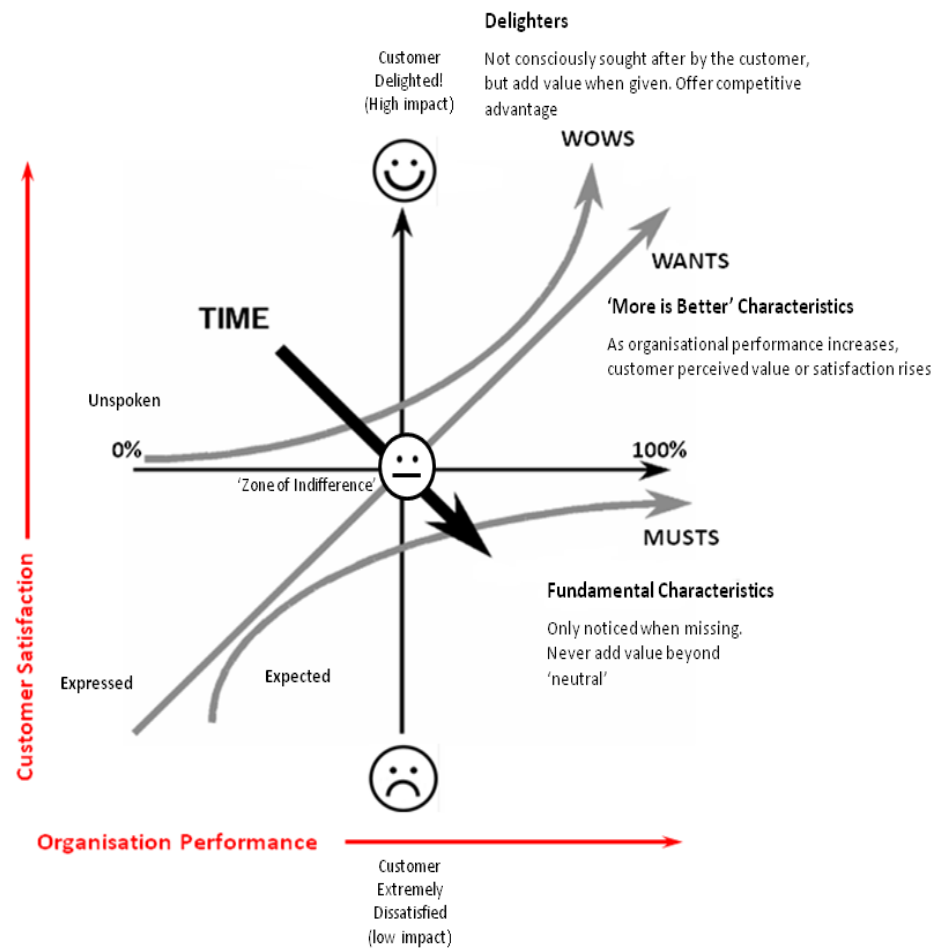
- **Resources**; it is absolutely essential that the service optimises the use of the IKEN system. This should be explored by establishing dialogue with the software providers and clearly understanding what functionality could affordably be utilised, or developed, to address the key issues identified from within the team.
- **Capacity**; further work needs to be done to review the utilisation of staff resources within the team, to ensure that it is optimised and appropriate to the service being delivered. This will be informed by the other suggestions listed here.
- **Process & Client Instruction**; it is evident that adherence to processes across the authority – particularly in relation to the Green Guide – is not as it should be; it is essential that some form of reaffirmation is undertaken (this has also arisen in

the MS review, which indicates the significance). Aligned with this is the consideration of designing and introducing a formal Client Instruction, which can help to define the expectations from both parties and lessen the potential for issues around scope and resolution. CPC view this as essential.

- **Management;** there were some clear views expressed that there are opportunities for the team management to be of a more supportive style with clearer priorities. Addressing the output of appropriate MIS from IKEN would also assist in developing a resolution to this issue.
- **Quality Level & Promotion;** there appears to be inconsistent views within the team about the level of quality that the service can afford to offer. This also links into the concept that more could be done to promote the service internally about what customers should expect from the service which, in turn, clearly aligns with the suggestion that a formal client instruction be developed.
- **Data Handling;** as mentioned above, the Council has in place a Retention and Disposal Policy. This is enhanced by a filing system and a case management system. Notwithstanding this storage space is fast running out and there are restrictions in terms of resource to review/destroy old files.

6.0 Appendix A

The Kano Model



Appendix D

West Lancashire Borough Council

Legal Services

Voice of the Customer Exercise

CPC Project Services LLP

Mike Hughes

May 2014

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1.0 Introduction and Background

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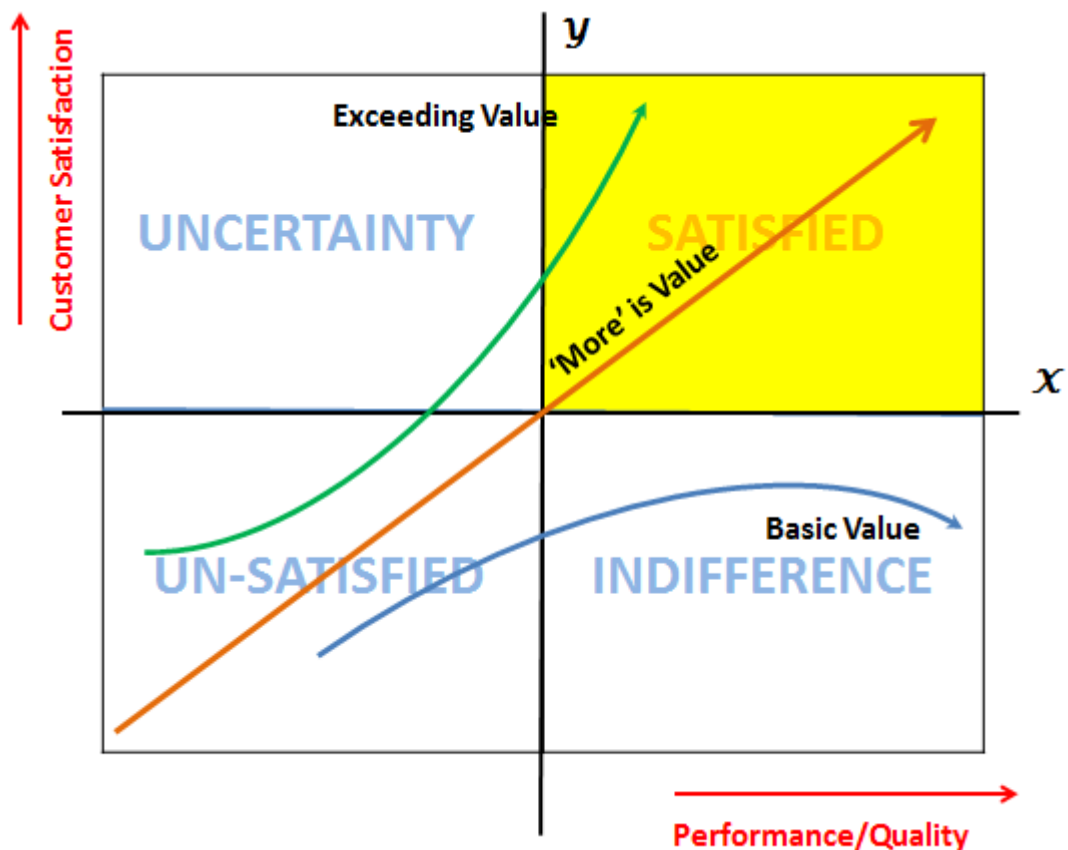
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While the West Lancashire Borough Council Voice of the Customer exercise is based on Kano principles, it does not follow the Kano methodology exactly, although it does take into account the 'Musts', 'Wants' and 'Wows' from the 'customers' of the Legal Services Section at West Lancashire Borough Council.

This survey has been coordinated by the Organisational Re-engineering Manager at West Lancashire BC – in association with CPC staff.

3.0 The Sample

Who

All Departmental Service Heads of the Council were surveyed, to ensure a comprehensive response with regard to the services they received (in respect of Legal Services' operation and administration).

How

Voice of the Customer questionnaires were issued in the form of a link to 'Survey Monkey' and was sent to all Departmental Service Heads at the beginning of April 2014, with a request for completion by 11th April 2014.

A Survey Template utilised for the surveys can be found in Appendix B.

What, When and Where

58 invitations were issued and, in total, 41 responses were returned within the allotted time and, therefore, included in the following analysis.

The Results

Of those 41 responses, 82.5% (33) indicated that they had had direct contact with the service in the last 3 months, meaning that the results have a high degree of relevance because the responses are 'current'.

The general summary responses are contained overleaf, in a cumulative 'scoring' effect.

It is no surprise that phone and email are the most popular forms of contact; and email should not be discouraged, as this allows the service a greater opportunity to plan resource allocation. However, it must be borne in mind that one of the most significant recommendations is to introduce some form of structured client instruction, the basis of which must be built around personal contact with the client.

It is encouraging to see that 26 (86.7%), out of the 30 who provided a score, indicated that they are satisfied or delighted with the quality of service provided. Meaning that overall there is a very high degree of satisfaction.

The Service use indicated can be classified as:

Service based legal advice (e.g.Planning)	18 (60.0%)
Ad hoc legal advice	12 (40.0%)
Chasing up a request for legal advice	5 (16.7%)
Debt Recovery	3 (10.0%)
Commercial Conveyancing	1 (3.3%)
Prosecutions	2 (6.7%)
Request for legal attendance at meetings	7 (23.3%)
Other *	7 (23.3%)

* These include too many variables to list here.

The Form of the Instruction, and Scope Agreement, can be summarised as:

In person (prearranged)	12
In person (ad-hoc)	8
Email	21
Phone	15
Letter	1
Other	4

The Overall Satisfaction levels with the Service can be summarised as:

	Delighted	4 (13.3%)
	Satisfied	22 (73.3%)
	Un-satisfied	4 (13.3%)

The more specific responses contained in the surveys have been collated in paragraphs 4.1 and 4.2 below.

4.0 Legal Services

4.1 Customer Requirements

The Kano requirements of the 41 Service Users who responded to the survey are set out at paragraph 4.3.2 of the main report.

4.2 Customer Irritants

When asked for more specific details about their experience(s) with Legal Services, and in particular their main irritants, there were a variety of 'issues identified'. Those comments have been corralled into a number of grouped headings, which effectively summarise the views being expressed, and the conclusions drawn are at paragraph 4.3.4 of the main report.

5.0 Customer Feedback

5.1 Customer Comments

In any exercise of this nature it is important not to lose sight of the positive feedback from customers and to maintain some balance. In this instance, that positive feedback includes the following:

- *“I have never been disappointed in their attitude or their application.”*
- *“My overall experience of Legal is generally very positive already.”*
- *“The Legal Services Team generally provide an excellent service. Any problems I encounter are generally as a result of the lack of resources rather than the quality of the existing staff resource.”*
- *“I feel that the staff are working beyond full capacity and I feel guilty sometimes in adding to their workload.”*
- *“Presently have a reasonably good working relationship with legal team.”*
- *“Generally a very good service, with knowledgeable responsive staff.”*
- *“Staff are always pleasant, accommodating and considerate and advice/legal work is generally of a high standard...the ability to work under pressure and to tight deadlines is evidenced by the Team.”*
- *“...they always seem very professional.”*
- *“The service I receive is of a high standard...”*
- *“My experience of Legal Services is largely positive and consider it a good section...”*
- *“Service provided by legal services is very good.”*

The nature of those comments is general, rather than about specific aspects of the service, so it might be more difficult to identify what not to change; indeed it may well indicate that not too much needs to change. With evidence of a high degree of satisfaction with the service, it is essential that any redesign must take care not to weaken the particular strengths of the service.

5.2 Direction of Travel

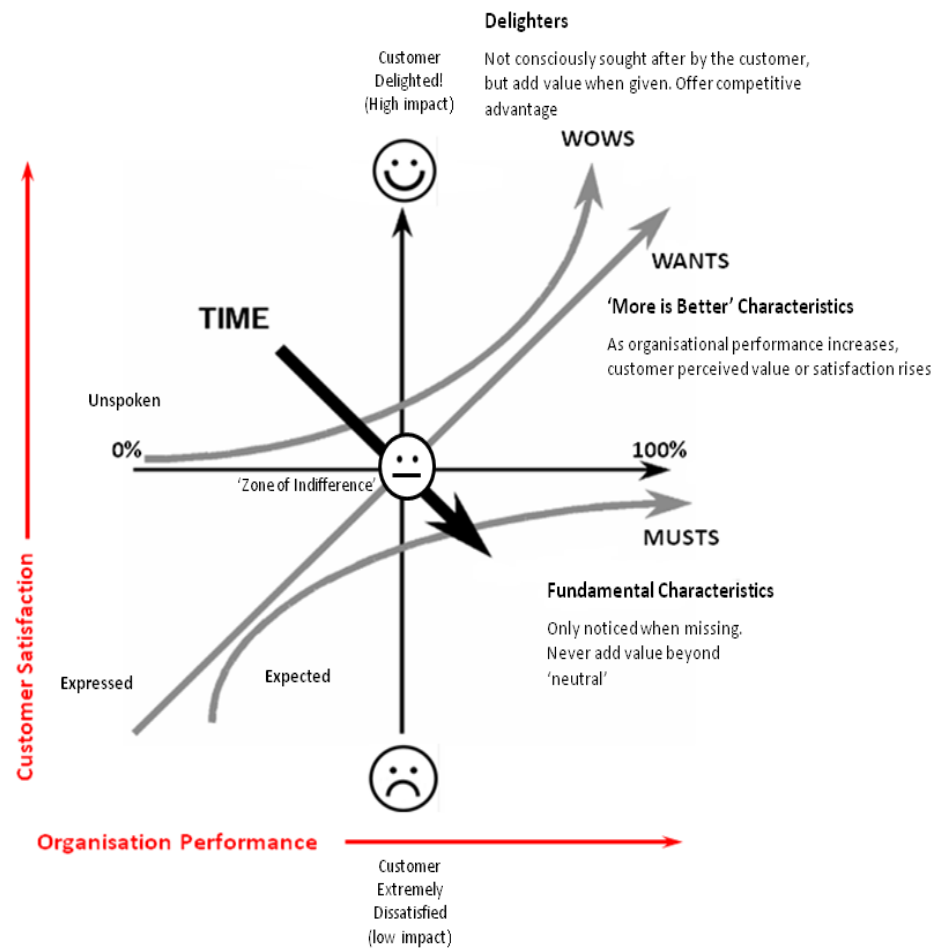
It is evident from the scores and results that the customer perception of the council’s service is that the customer’s most basic level of desired service (in particular, the ‘Must haves’) is generally being met adequately. However, the views expressed as ‘Irritants’ - summarised in 4.2 above - indicate that there is scope for improvements still to be made.

Further work would need to be done to understand more fully the Cost v Benefit profile of the ‘Wants’ and ‘Wows’, in particular, but the overall customer feedback does indicate some clarity about the way aspects of the overall service could be reviewed and redesigned. This can be summarised as follows:

- Investing in a structured and consistently applied client instruction process is felt to be essential. At present there is no consistency of approach from Services, there is a lack of information in some cases being provided to the legal team, and there is a lack of expectation management. This is all directly leading to comments received about response times, feedback and ownership, all of which would help to be addressed by implementing a more robust instruction framework. (Note: the greyed-out points in paragraph 4.3.2 would also be addressed to a greater or lesser extent by implementing this suggestion.)
- The precise management of the process that would stem from taking such a step could be determined by WLBC. For example, it has already begun to be discussed, by senior staff within the service, as to whether to formalise a 'triage' process. This leads directly onto the next point;
- The use of existing resources could be more effective. Having greater control over the entry of client instructions into the service – by whichever means that is managed - may enable greater professional productivity.
- The clarity and frequency of communications also needs to be reviewed. Once again, this would be assisted by a more robust instruction framework, which would go toward managing the expectations of customers. However, what may be worth considering is whether the IKEN system, for example, can automatically provide regular feedback to customers – even if that is only a statement of the latest position – and, in so doing, instantly remove the sense that some customers have of issues 'falling into a back-hole'. This, combined with a formalised instruction process might also help to create a framework whereby the use of legalese is both minimised and its need understood; and limit the occasions when decisions are changed.
- It is also felt that some form of 'service promotion' ought to be considered. It is evident that some customers are failing to appreciate the 'propriety' role that the service must provide to the council. This 'promotion' needs to have the backing of senior management within the authority to achieve the impact required. By virtue of the high degree of satisfaction being scored, it would not hurt to remind customers of what the service achieves, what its role is and why, sometimes, it is necessary to proceed with caution. This would help to address some of the comments about negativity and being risk-averse. The form of its delivery would need careful thought: training; newsletters; a formal presentation on the outcomes of this organisational review, would be amongst the ideas that should be considered.

6.0 Appendix A

The Kano Model



Appendix E

West Lancashire Borough Council

Member Services

Redesign Table

CPC Project Services LLP

Mike Hughes

October 2014

Process Map	Tasks	Change proposed	Savings
Minutes	3 & 4	Contemporaneous taking of minutes (i.e. In meetings) - Identify whether Northgate can provide this functionality (as per wish list). Modern Gov. option provides this.	No – may be extra cost
	6	Multiple iterations due to amendments re stylistic issues. Communication required to DSH – only amendments to be made are to change a material fact / error in the minute / typo.	Time only – say 50 annual (scheduled) meetings x 5 minutes = 4 hours 10 minutes per annum.
	8 & 9	Two stage approval (and publish) of minutes on CoInS. Identify whether Northgate can provide this functionality (as per wish list). Modern Gov. option provides this.	No – may be extra cost
	14 & 15	Discontinue use of Kalamazoo paper (once current stock removed). Keep only 1 paper copy.	Yes – cost of Kalamazoo in total (per annum) to be removed. £34.11 per pack 3 packs used per annum + £12.95 delivery = £115.28 Additional time also saved in terms of printing on Kalamazoo and dealing with approvals and invoice for Kalamazoo = 1 hour per annum
	17	Paper issue of Minute book – to be changed to electronic issue of Minute book (email attachments or email links)	Yes – saves printing 5,670 pages per annum (double sided) £17.57 Saves printing time: Assuming 2 second per printed page (double sided) = 3.15 hours per annum

Process Map	Tasks	Change proposed	Savings
Agendas	4,	<p>Current process includes inserting meeting date in 5 different locations/documents (ColnS; meetings involving members; room booking; Own electronic diary; Own paper diary).</p> <p>Potential to remove the 'meeting involving members' calendar in outlook and place items in Colns, however this would mean dates being available for public to see (facility to restrict view is available with Modern gov).</p> <p>Timetable training programme at start of year, with training events based on historic demand (e.g. Planning training)</p>	<p>Time saved in inserting multiple dates and also in checking for available rooms on an ad hoc basis</p> <p>30 minutes (average) x 50 committee meetings = 25 hours per annum</p>
	5 16	Member services issue reminders before scheduled Chairman's Briefings & pre-agenda meetings – if meetings are scheduled discontinue reminder practice, if unscheduled, continue to remind.	<p>Time saved in reminding Members and Officers of meeting commitments</p> <p>2 minutes x 20 meetings = 40 minutes per annum</p>
	20	Reports and agenda items submitted late to Member Services – Requires a communication to all parties that the current position is unacceptable and submitting the performance to DSH (i.e. the numbers of reports/items submitted late per cycle).	<p>Time saved in re-working agendas on an iterative basis</p> <p>Average 30 mins x 50 meetings = 25 hours per annum</p>
	8	Duplicate typing of forward plan items (due to ColnS lack of functionality). Identify whether Northgate can provide this functionality (as per wish list). Modern Gov. option provides this.	No – may be extra cost
	9 & 21	Lack of version control and failure by authors to follow green guide (by saving latest version of reports onto the R drive) – Via Heads of Service to ensure that reports are properly version controlled and ONLY saved on the R drive (not by email to member Services)	<p>Time saved in re-working incorrect reports (into Agendas) and time saved 'chasing' authors for latest version of work</p> <p>Average 10 minutes per meeting x 50 meetings = 8 hours per annum</p>

Process Map	Tasks	Change proposed	Savings
	10	Advice given unnecessarily on basic green guide protocols (without having first read the guide)	<p>Time saved in giving advice that is available within the green guide (n.b. difficult queries about specifics in the green guide are not part of this change).</p> <p>Included in time savings above</p>
	11 & 15	Draft and final agendas currently all printed for distribution list – to be issued electronically, subject to the legislative requirement to send out a paper copy of the agenda notice to Members on bodies (LGA 1972	<p>Yes – saves printing 607,882 pages per annum (double sided)</p> <p>542,2331 x £0.0031p = £1,680.92</p> <p>Saves cost of issuing 1,221 letters per annum</p> <p>1221 x £0.33 = £402.93 (NB best case cost included – it is likely that cost per envelope would exceed this as would contain agendas with up to 400 pages per envelope)</p> <p>Cost of paper = £13.26 per bundle (2,500). Use 216.89 bundles for volume = £2,876</p> <p>Cost of plastic envelopes for member run £16.34 per 100</p> <p>Saves printing time and packaging/posting time</p>

Process Map	Tasks	Change proposed	Savings
			<p>50 meetings x average 8.5 minutes = 7hours (Admin)</p> <p>May be a requirement to invest in iPads for all Members (cost of £300-£400 each)</p>
	12	Member Services and legal services check all reports for legalities and compliance. Introduce a feedback loop where non-compliant reports (against green guide) are returned to authors to make the necessary amendments. This will improve quality	<p>Time saved in making amendments to reports and chasing authors where larger amendments are necessary No saving. Additional work</p>
	25	Discontinue use of Kalamazoo paper (see Minutes table – tasks 14 and 15)	<p>Yes – cost of Kalamazoo in total (per annum) to be removed.</p> <p>Additional time also saved in terms of printing on Kalamazoo and dealing with approvals and invoice for Kalamazoo</p> <p>CARE – DUPLICATE SAVING, already counted in Minutes process</p>
Process Map	Tasks	Change proposed	Savings
Forward Plan	11 & 12 (under DSH and authors)	Late inclusion for items not previously in Forward plan creates re-work (for MS)	<p>Time saved in discontinuing process</p> <p>30 minutes x 6 occurrences per annum = 3 hours per annum</p>

Process Map	Tasks	Change proposed	Savings
Cabinet	4, 10, 16, 20 & 21	Printing and issuing pre agendas – covered in Agenda process	CARE – DUPLICATE SAVING, already counted in agenda process
	4	Often report titles change from the forward plan – communication to authors and DSH to affirm that titles in forward plan cannot be changed. Set up Member Services news-letter for issue to all DSH – including compliance statistics (every cycle – 2 months). Set up annual green guide training for all report authors	Time saved – in not having to re-work titles. Approx. 60 reports per annum (12 per meeting) of which 30% require title changes against the forward plan. Each amendment takes 5 minutes. 18 x 5 minutes = 1.5 hours per annum
	6	Pre agenda meeting includes reports already discussed at DSH (re-work). Agreement to only take reports that have not been discussed to pre agenda (i.e. either or). Preference is pre-agenda	No time saving, as preference is to have all reports at pre-agenda meeting and none at DSH
Process Map	Tasks	Change proposed	Savings
Constitution	4 & 5	Waiting for approval is WAITING (in Member Services Offices & MD). Set aside a set date and time post Council meeting to introduce flow	No (process) time or cost saving applies, as business value to MS & MD's time. Will reduce cycle time
	7	Restrict the use of paper copies to Operational and Legal staff. Change wording of email (issuing amendments electronically as well as by paper) to say 'please contact Member Services if you wish to continue receiving paper copies'. This change would be contrary to the current wording, which emphasises the need to contact Member Services if recipients wish to stop receiving paper copies	Duplicate as printing cost already identified above. Potential saving of 4 (minimum) or 5. 20 pages x 6 issues x 4 staff 480 pages x £0.0031 = £1.49. No saving in paper, as paper remaining from additional bundles bought) see task 15 in agenda process

Process Map	Tasks	Change proposed	Savings
Register of Interests	4&8	It is envisaged that at a future point these can all be compiled and retained electronically. However, the savings in time and resource will be minimal, therefore suggest no change immediately. Explore the ColnS functionality to ensure will support fully electronic recording – verify the legality of electronic ‘signatures’ – consult with audit on necessity for paper copies. Meantime, continue to promote electronic completion as a preferred option.	None – may be extra cost
Process Map	Tasks	Change proposed	Savings
Time-tabling	12	Should now include standard training dates for Induction and Planning, Licensing and O&S committees. To remove the need for producing these separately. (NB This is cross-referenced to Task 4on Agendas.)	None
	18	At the moment dates are recorded in 5 different places: ColnS/Room Bookings/Meetings involving Members/Outlook calendars for MS/personal diaries. Not everything needs to be in all places but, consider the opportunity to have a direct link between ColnS and Outlook? Is it possible to create a central authority/corporate diary to minimise the risk of double-booking or dates being missed? (Note: The diary in ColnS is operationally valuable, as it generates agendas and minutes within the system) (NB This is cross-referenced to Task 4, 17 & 22 on Agendas.)	See Agendas.
	18	Provide ‘permissions’ for MS staff to be given viewing access for corporate Outlook calendars such as Room Bookings, to save time when scheduling timetables.	None – hours only.
Process Map	Tasks	Change proposed	Savings
Members Updates	1 & 3	Remove the need for a separate Members Update timetable. The information already exists within the individual committee timetables; so, this is a duplication. Officers would need to be disciplined to check those.	None – hours only. 2 hrs annually
	4	Reinforce the need for officers to drop content into R drive, rather than emailing individual MS team members. (NB This is cross-referenced to Task 9 on Agendas.)	None – hours only.
	7	Reinforce the need for officers to submit content in line with Green Guide. (NB This is cross-referenced to Task 10 on Agendas.)	None – hours only.
	10	Remove need for all hard-copy printing. All can be made available electronically. (Note: elected members are each provided with a printer; therefore, they can choose to print themselves if they wish.) Combine Corporate & Exec O&S Members Updates into one. Planning – 319; <ul style="list-style-type: none"> • Corporate – 409; • Exec – 17; • L&A – 17; • L&G – 6. 	15-18 copies are printed. 768 x £0.0031 = £2.38 Paper costs = £13,26 x = £4.07 (Cost included in printing costs referred to above)

Process Map	Tasks	Change proposed	Savings
Public Speaking@ Planning	1, 4 & 9	<p>The communication with those permitted to speak should be administered and controlled by one service perhaps Planning for inclusiveness and a list of speakers provided just prior to the start of the meeting, This would eliminate waste in communication when issues arise e.g. eligibility to speak.</p> <p>E-mails requested from consultees during the original consultation on Planning Applications to enable communication to be undertaken via electronic means as much as possible, rather than hard copy currently, and might encourage greater use of electronic responses. In view of comments made – the organisation perhaps needs to reconsider this whole process to contemplate:</p> <ul style="list-style-type: none"> • Who (which service) takes responsibility? • Whichever it is decided to administer, a (10-minute) pre-meet should be undertaken to smooth the way forward; • Whether the criteria for public speaking remain appropriate and relevant? • Do the rules for ‘engaging’ speakers remain valid? • Ensuring that applying the criteria is an independent role; • Can the meeting agenda be flexible to enable those items which have a public speaker to be brought forward more readily? <p>By addressing these issues, the process would be streamlined, roles would be clarified, and the public credibility would be enhanced.</p>	<p>None – hours only. Non quantifiable.</p> <p>Predominantly hours, minimal paper saving.</p> <p>Service improvement.</p>
	6	<p>Produce FAQ’s for general queries about how it all works, to negate some of the queries coming forward from members of the public. Links to Item 1&4 above.</p>	<p>None – hours only.</p> <p>Service Improvement</p>

Appendix F

West Lancashire Borough Council

Legal Services

Redesign Table

CPC Project Services LLP

Mike Hughes

October 2014

Process Map	Tasks	Change proposed	Savings
Filing	5	<p>Move from part electronic/part paper based filing system to wholly electronic system with no paper files created or paper records held for new matters</p> <p>.Potential for development of standard document types within IKEN to ensure consistent document classification.</p> <p>Time saved stated here for opening process. Paper and print savings quantified here represent whole system savings.</p> <p>Additional non mapped time saving for all officers on printing paper documents out to place onto the file.</p>	<p>Average time to set up new paper file = 7 minutes per file. Time recording estimate 17.92 hours per annum setting up new paper files.</p> <p>Saving on Paper - Av 825 file per annum @ 200 pages = 165,000 pages A4 per annum at £13.61 per packet (2500) = £898.26</p> <p>Saving on Printing - 165,000 pages printed at £0.003 = £495</p> <p>Saving on Stationery Expenditure - approximately £600 per annum including file jackets, dividers, labels.</p>
	6	<p>Electronic files would not require collection. If document requires permanent retention this could be scanned for access and then stored in long term storage off site or in the basement. All other documentation could be disposed of. Scanning process would need to be compliant with British Standard 10008 Evidential Weight and Legal Admissibility of Electronic Information & BIP 0008: UK document management legal admissibility.</p>	<p>Savings on visits to the basement x 15 minutes per visit. 140 visits annum x 15 minutes per visit = 35 hours per annum.</p>
	8	<p>Electronic files could be closed on system by Solicitor as there would be no requirement to take a hard copy to the basement. Small offset of saving for documents that have to be retained in paper form.</p>	<p>Covered in line 6 above.</p>
	10	<p>Where files are currently scanned there is considerable wait time for availability of the device. Could priority be given for scanning access to MFD or timeslot allocated?</p> <p>Alternatively could a continuous feed scanner be purchased for sole use by the service?</p>	<p>Ad hoc wait time unquantifiable.</p> <p>Additional cost.</p>
	15	<p>Additional documentation could be scanned and added to IKEN instead of being taken down in batches to be added to the hard file.</p>	<p>Once per week x 25 mins = 21.7 hours</p>
	15	<p>Potential for dual screens to limit printing so that documents are read on the screen instead</p>	<p>Time spent printing documents per day (whole service) = 45 minutes x 220 days = 165 hours</p>

Process Map	Tasks	Change proposed	Savings
	16	Electronic spreadsheet of paper files on loan to non-fee earning officers would not be required if electronic filing was used as electronic filing would provide simultaneous access to multiple users. External users such as audit could be provided with temporary access as and when required, through the use of a generic login.	Five minutes to log on spreadsheet.
	19	On file destruction duplicate scans of information are added to system as no way to identify what has been attached to IKEN whilst case is open and what hasn't. Moving to electronic filing only would remove the need for the paper to be shredded at the end of the process. Papers are removed from file. Paperclips reused. Labels removed from folder and any other identifying marks. Paperwork is sacked up and taken out on a four week cycle.	Time recording indicates 128.7 hours per annum spent on file closure and destruction. 10 sacks per cycle x 15 minutes per sack. 32.5 hours per annum.
Process Map	Tasks	Change proposed	Savings
Debt Recovery	1	Utilise standardised client instruction form within all services. Client instructions no longer to be taken on the phone or through a general email. Improved Client Instruction process would help reduce waste – at present 70% of instructions are from housing and are comprehensive, the other 30% are not Could electronic copies of documents be made a requirement for provision by client at the start of the process?	Non quantifiable. Will affect whole process as will help to ensure the maximum level of information provided up front.
	3	Automated letter of claim to be produced by IKEN	Time saved = 180 per annum x 10 minutes = 30 hours per annum
	4	Improve/utilise functionality of IKEN to create email to client service to advise of debt to be loaded onto their core system. This would save SM having to go onto each system: users know their system better, are probably already logged into it, SM would not need to be trained and minimises any security risk by access being available outside of the owner service.	Time saved = 180 per annum x 15 minutes = 45 hours per annum.
	5	IKEN automate diary reminder for 14 days.	Time saved = 180per annum x 2 min = 6 hours per annum
	7	Improve/utilise functionality of IKEN to hold template 'Pleadings' to be populated, which would prompt an auto-email to service to update core system. Modify client instruction form to include list of basic documentation required for different types of cases. Provide clear advice to client at point of instruction that once a case is with legal no negotiations should go on outside of that process between client and debtors.	Not yet quantifiable

Process Map	Tasks	Change proposed	Savings
	10	<p>Raising a cheque causes work – explore if the court will accept payment via other means; <i>caution</i>: may cause issues with court marrying payment to paperwork. Alternative would avoid risk of missing twice-weekly payment run.</p> <p>At present SM emails Housing to advise of changes, but Revenues & Payments need a form to be filled-in, hard-copy to them, who send an invoice back, just to be filed.</p> <p>Finding two signatories causes significant process delay. Check with audit and BTLs for specifics about why two signatories are required.</p> <p>Could a corporate credit card be used instead of cheque process?</p>	Not yet quantifiable
	14	Judgement request created in IKEN and prepopulated.	Time saved = 175per annum x 5 minutes = 14.5 hours per annum
	15	IKEN automate diary reminder for 28 days	Time saved = 175 per annum x 2 min = 5.8 hours per annum.
	17	Is a separate invoice required every time costs are incurred? could these be added to the account automatically by the Client when receiving the automatic updates.	Not yet quantifiable
	18	<p>Instead of writing to debtor, write to the client to inform judgement received and ask them to confirm what they now want to happen – give a 2-month deadline, otherwise case will be closed.</p> <p>Improve/utilise functionality of IKEN to automate an email reminder to client in 6 weeks warning of impending case expiry.</p>	Time saved = 175per annum x 5 minutes = 14.5 hours per annum
	19	IKEN diarise reminder notification for 7 days after date of first payment.	Time saved = 175 per annum x 2 min = 5.8 hours per annum.
Process Map	Tasks	Change proposed	Savings
Defence against Debt recovery	4	Improve/utilise functionality of IKEN to automatically create a diary date for follow-up in appropriate timescales	Time spent entering dates into IKEN offsets saving in calendar appointments creation.
	7	Although not a significant volume of cases, consider further training for service users to enable a higher proportion of statements to be completed properly.	Covered above.
	8-12	Raising a cheque causes work – explore if the court will accept payment via other means; <i>caution</i> : may cause issues with court marrying payment to paperwork. Alternative would avoid risk of missing twice-weekly payment run.	See Item 10 above.

Process Map	Tasks	Change proposed	Savings
	16	Utilise IKEN system for trial bundling process and document pagination.	15 bundles at 4 hours spent printing/copying bundles per annum = 60 hours per annum Additional cost.
	17	Trial bundles could be emailed to barrister and defendants solicitors.	Covered in line 16 above.
Process Map	Tasks	Change proposed	Savings
Prosecutions	1	Develop standardised client instruction form to be used by all Services. Could electronic document bundles be made a requirement for provision by client at the start of the process?	Non quantifiable. Will affect whole process as will help to ensure the maximum level of information provided up front.
	7	Client to provide witness availability for next three months as part of task 1.	Included in task 1
	10	Limit the number of copies of Trial Bundles, to ensure minimum wastage on the number of copy documents printed.	To be decided
	Gen	Improve/utilise functionality of IKEN to automatically create draft document templates.	Not yet quantifiable
Process Map	Tasks	Change proposed	Savings
FOI	Gen	Large proportion of FOI's related to BTLs and they need to feedback reasons for refusal to SAaESO officer. FOI's in relation to BTLs could be processed and response made in their name.	None.
	Gen	Co-ordinated responses are responsibility of SAaESO, quite often one service is responsible for the majority of the information and only minor information is required by other services. This could be effectively co-ordinated more efficiently by the primary responder.	None.
	Gen	High level of failure demand into LS when information could be found through the guidance found on the intranet. Training for link officers in use of FOI guidance to allow greater degree of self-serve	Non quantifiable.
	Gen	Degree of chase up required to ensure 20 day compliance is achieved. Excel could be held on a shared folder rather than emailed around Link Officers. Automated reminder emails could be sent at agreed intervals to minimise staff time spent on chase ups.	Non quantifiable

Process Map	Tasks	Change proposed	Savings
Conveyancing	1	<p>Could electronic document bundles be made a requirement for provision by client services at the start of the process?</p> <p>Requirement for client services to collect an email address for the potential tenant and include this in the client instruction.</p>	To be decided
	7	Standard documentation could be created in IKEN, current letters on system require updating. If additional fields on IKEN are created and filled in at file opening stage this would allow for a greater proportion of documents to be prepopulated.	To be decided
	8	If documents created in IKEN formatting should be correct first time every time. If this cannot be achieved further training in how to use MS Word could offset the requirement to send the documentation to typing pool for processing.	Savings for typist offset by time increase in legal.
	10	If letters are not sent to typing then there would be no need for check.	<p>250 matters per annum x 15 minutes per check = 62.5 hours per annum</p> <p>off-set by proof reading of auto-created documents</p>
	11	Only 2-3% come back with issues. Check could be removed.	No time in legal, small time saving in client services.
	14	<p>IKEN to diarise reminder for 10 days.</p> <p>Reminder letter to be auto-created after 10 days and emailed to Solicitor and CC in client.</p> <p>IKEN to diarise second reminder for 10 days.</p> <p>Final reminder letter to be auto-created after a further 10 days and emailed to Solicitor and cc in client.</p> <p>IKEN to diarise file closure for 10 days.</p> <p>Matter closure notification to be auto-created after a further 10 days and emailed to Solicitor and cc in client.</p>	<p>125 reminders per annum x 10 minutes = 20.8 hours</p> <p>63 final reminders per annum x 10 minutes = 10.5 hours.</p>
	18	Do all copies of documents have to be 'engrossed' before sending? Some clients seem content to sign un-engrossed documents. Is this a proposed departure from tradition, or is it a legal requirement?	Non quantifiable
	26	Client could clarify how tenant would like to execute the lease at the beginning of the process. Could this be included as a field in IKEN and as part of the client instruction form.	Non quantifiable.

Process Map	Tasks	Change proposed	Savings
Client Instruction		<p>Utilise standardised client instruction form within all processes. Each individual instruction form would have a series of required basic documentation (tick list) to prompt client to include in bundle. Any instructions received within these would be rejected back. Client instructions no longer to be taken on the phone or through a general email.</p> <p>Could electronic document bundles be made a requirement for provision by client at the start of the process?</p> <p>Does IKEN have web based functionality whereby an electronic client instruction forms could reside on the intranet and then populate the database?</p> <p>Alternative would be a triage stage at the beginning of the process whereby the client sends the instruction form and the electronic bundle to a named individual who then enters this information onto IKEN before it is electronically work-flowed onto the Solicitors.</p> <p>Standard acknowledgement response to be developed for all processes identifying a standard response time for each type of instruction. This will minimise failure demand progress calls into the section.</p>	Identified as part of each individual process.
Process Map	Tasks	Change proposed	Savings
Commissioning External Resource	6	Rework incurred by having to go back to client to obtain basic information. Introduce improved client instruction forms.	25 per annum x 2 hours = 50 hours
	13,14, 17,18	<p>Originating service should process PO's and pass for payment.</p> <p>Processing of invoices within LS should move back to originating service. Quality check only should occur within LS.</p> <p>Check with S151 officer regarding open ended PO as very difficult to quantify the cost of a case at outset. In the case of trials, it is not always possible to predict accurately the likely cost of engagement, and barristers prefer to invoice as soon as a piece of work has been undertaken and fees incurred. Continually having to raise new PO's builds 'waste' into the processes.</p>	<p>60 per annum 30 min per case = 30 hours</p> <p>120 invoices per annum x min per invoice = 30 min = 60 hours per annum</p> <p>Wait time and chasing of budget holders = approx. half of 60 cases per annum x 150 min per case = 75 hours.</p>
Process Map	Tasks	Change proposed	Savings
Planning Enforcement	8	If S330 notice not returned reminder process triggered. Could this follow the principles above for development of IKEN e.g. automated reminder, final reminder.	32 cases per annum 10 minutes per case = 5.3 hours per annum



Appendix G

West Lancashire Borough Council

Cost Tables

CPC Project Services LLP

Mike Hughes

October 2014

MEMBER SERVICES

Map	Task ID Category	Cost
Minutes, Agendas	14,25 Kalamazoo paper	£115.28
Minutes	17 Paper issue of minute book	£17.57
Agendas	11,18 Draft final agenda print	£1,680.92
Agendas	11,18 Draft final agenda issue	£402.93
Agendas	11,18 Draft final agenda paper	£2,876.00
Constitution	7 Restrict use of paper Constitution	£1.49
Members Updates	10 Print members updates	£6.45
Total £ Per Annum		£5,100.64

Map	Task ID Activity Description	Hours
Minutes	6 Multiple iterations	4.17
Minutes	15 Printing to Kalamazoo	1
Minutes	17 Issue Paper Minute Book	3.15
Agendas	4,17,22 Schedule meeting in Calendars	25
Agendas	5 Meeting Reminder	0.66
Agendas	6 Late item communication	25
Agendas	9 Version control/non compliance to green book	8
Agendas	11,18 Printing draft agendas	7
FWP	11,12 Late inclusion	3
Cabinet	5 Comms to authors Re: Change of title	1.5
Members updates	1 Separate Timetables	2
Total Hours Per Annum		80.48

Legal Services

Map	Task ID Category	Cost
Filing	All Paper costs	£898.26
Filing	All Printing costs	£495.00
Filing	All Stationary Savings	£600.00
Total £ Per Annum		£1,993.26

Map	Task ID Activity Description	Hours
Filing	5 Creation of new paper files	17.92
Filing	6 Movement of files to and from basement	35
Filing	15 Additional filing after case closed	21.7
Filing	15b Ad-hoc staff time spent on file printing	165
Filing	29 Preparing paper file for destruction	32.5
Debt Recovery	3 Iken to automate creation of letter of claim	30
Debt Recovery	4 Iken email to client advising debt to be added to core system	45
Debt Recovery	5 Iken to diarise 14 day reminder	6
Debt Recovery	14 Iken to repopulate Judgement request	14.5
Debt Recovery	15 Iken to diarise 28 day reminder	5.8
Debt Recovery	18 Iken to automate email reminder to client after 6 weeks warning of impending case expiry	14.5
Debt Recovery	19 Iken to diarise reminder for 7 days after first payment	5.8
Debt Recovery	16 Trial bundle efficiencies	60

Conveyancing	10 If documents updated by Fee earner rather than typists checking not required (offset by time updating docs)	62.5
Conveyancing	14 Iken to diarise 10 day reminder and automate email to client	20.8
Conveyancing	14 Iken to diarise final reminder and automate email to client	10.5
Commissioning	6 Make it explicit on client instruction as to whether there is a requirement to go externally	50
Commissioning	13,14,17,18 Originating department should process PO and pass for payment	30
	13,14,17,19 Processing of invoices move back to originating department	60
	13,14,17,20 Time spent chasing budget holders	75
Planning Enforcement	8 S330 notice automated response through Iken	5.3
Total Hours Per Annum		767.82

Please note that the times and values provided within this appendix are THEORETICAL and represent the MAXIMUM time/cost savings that could apply, should everything be realisable. Evidence from both services shows that, in particular, the time savings are spread over 4/5 different roles/members of staff and would not be realisable as cash releasing benefits (i.e. there are not posts that can realistically be removed). However, the time savings should be pursued through improved processes, as this will allow for re-investment in the service and an improved and more timely service to customers (particularly in Legal Services).

1.15.1 Member Services

	OR Report Recommendations	Action
1.	Continue to maintain effective planning, co-ordination and provision of a network of support to the democratic and committee administration service and its customers.	Agreed
2.	Renew the Northgate (CoInS) system for a minimum one year period, while discussions are had with the supplier to discuss plans to: <ul style="list-style-type: none"> a. maintain support levels in the medium/long term (i.e. to August 2018); b. develop functionality; and c. Investigate participation in a CoInS user group on a regular basis. 	Agreed
3.	Subject to points 2a – 2c (above) being achievable, the CoInS contract be extended for a further 3 years (i.e. to August 2018).	Agreed
4.	Should points 2a – 2c not be achievable, that the Modern.Gov option be adopted as the preferred option with effect from August 2015, subject to sufficient funding being made available.	Agreed, subject to resources (although the anticipated date will be after August 2015 given slippage in consideration of the OR Report)
5.	As part of the functionality referred to in 2b, take steps to address the content, accessibility and presentation of the Council's democratic data, including - the integration of that system with the Council's constitution resulting in easy access for stakeholders and updating by Member Services Officers.	Agreed
6.	Continue to reaffirm the importance of transparency, so that customers, staff and stakeholders feel reassured of objectivity and transparency; addressing the significance of reliability in the process.	Agreed

7.	Reaffirm the significance of compliance with the Green Guide with the use of the local champions.	Agreed
8.	Review and overhaul the use of printed copy and the use of Kalamazoo-quality paper for minute books, with a view to placing greater credence and reliability upon electronic data-handling.	Agreed
9.	Consider implementing appropriate process-specific improvements identified within the Redesign Schedule attached at Appendix E. Implementation of appropriate changes (with the exception of the service software) can be done as part of the Member Services day to day roles , with support from a short term post of Practice Administrator.	Borough Solicitor to take forward as appropriate as per Comments column at Appendix 3A and subject to resources
10.	Providing Elected Members with IPADs to facilitate easy electronic access to papers and Members choosing electronic access only could potentially save over 613,000 printed sides of paper per annum. Further details are provided in Appendix E to this report.	Included in 9. above
11.	That the financial cost (in terms of both subscription and the opportunity cost of managing benchmarking information) of joining a benchmarking initiative (e.g. CIPFA), outweighs the benefit, due to the lack of critical mass in the Democratic Services area.	Agreed

1.15.2 Legal Services

	OR Report Recommendations	Action
1.	Approve and adopt the new client instruction process, and associated forms, developed during the redesign stage. Introduce a formalised 'triage' process for non-routine matters where instructions are channelled to the Borough Solicitor, who can scope the Instruction and allocate a priority and timescale for completion of the work.	Agreed
2.	As part of this formalised process, implement an 'Urgent Stream'. This approach will provide the level of flexibility required of a dynamic Legal Service, whilst maintaining a degree of control over priorities. This will require approval from Heads of Service to ensure that not all cases are classified as 'urgent'. Legal Services Triage would also be required to signify agreement before a case is treated as urgent and fast-tracked.	Agreed

3.	Optimise the use of functionality within the IKEN system by clearly understanding what functionality could affordably be utilised, or developed, to address the key issues identified from within the team. Create the short term resource of Practice Administrator to explore and develop the workflow functionality within IKEN to automatically provide regular feedback to customers – even if that is only a statement of the latest position. Organise further training for professional and support staff to enable use of the Iken system to be maximised.	Agreed, subject to resources
4.	Investigate via the short term post of Practice Administrator the opportunity for greater quality management information from within the system. Improved IKEN functionality will allow more informed decision making and better resource/workload management.	Agreed, subject to resources
5.	Addressing the output of appropriate MIS from IKEN would assist in providing management and support of the team members and would allow for the improved reprioritisation / reallocation of matters following initial allocation.	Agreed, subject to resources
6.	Clearly determine the standard to which cases should be worked (to avoid small gains against increased effort). Undertake some degree of service ‘promotion’ on the back of this review to help staff understand what the Legal Service can ‘do for them’. The form of this promotion will need careful thought, with a potential requirement for training; newsletters and a formal presentation on the outcomes of this organisational review. Introduce an annual meeting with Heads of Service when preparing service action plans each year to factor in requirements for Legal Services and identify resources (internal or external).	Annual Report and Annual quality of service/promotional meeting with each Head of Service and Cabinet
7.	Through the short term post of Practice Administrator review solutions for document storage/retention, given the restrictions in storage space.	Agreed, subject to resources
8.	Reaffirm the significance of compliance with the Green Guide, through staff training and more proactive use of local champions (for example through awareness sessions).	Agreed
9.	Review via the short term post of Practice Administrator the use of printed copy with a view to placing greater credence and reliability upon electronic data-handling where practicable. Explore the use of (encrypted) handheld devices for Court to enable remote working whilst waiting for case(s) to be called.	Agreed, subject to resources for Practice Administrator and handheld devices

10.	Implement the process-specific improvements identified within the Redesign Schedule attached at Appendix F with the assistance of a short term post of Practice Administrator and a two year fixed term post of Assistant Solicitor or Trainee Solicitor.	Borough Solicitor to take forward as appropriate as per Comments column at Appendix 3B, subject to resources and to the appointment of a Practice Administrator (2 years) and approval of the budget bid for an Assistant Solicitor.
11.	Whilst proactive work is essential, appropriate use of Legal Services should be encouraged, for example not using Legal Services for simple operational matters. This can be addressed as part of the client instruction process and Triage approach as detailed in Recommendations 1 and 2 (above).	Agreed
12.	That the financial cost (in terms of both subscription and the opportunity cost of managing benchmarking information) of joining a benchmarking initiative (e.g. CIPFA), outweighs the benefit, due to the lack of critical mass in the Legal Services area.	Agreed
13.	Given that the Council's Legal Service is Lean; the level of service user satisfaction; the high utilisation of staff and the service improvement recommendations herein, there appears to be a clear 'best fit' for the Council – to retain an efficient, effective and Lean in-house Legal services team. This can be added to through external support where specialist, sensitive or infrequently required services are needed, or to add to internal capacity due to workload peaks.	Agreed

APPENDIX 3A

	Member Services Change Proposed – Appendix E	Savings	Comments
1.	Contemporaneous taking of minutes (i.e. In meetings) - Identify whether Northgate can provide this functionality (as per wish list). Modern Gov. option provides this.	No – may be extra cost	Whilst this is worth exploring to maximise advantage, it will not be possible to achieve due to the complexity of the Member Services role, eg taking the vote etc and speed of meetings.
2.	Multiple iterations due to amendments re stylistic issues. Communication required to DSH – only amendments to be made are to change a material fact / error in the minute / typo.	Time only – say 50 annual (scheduled) meetings x 5 minutes = 4 hours 10 minutes per annum.	Professionally DSH must make the comments they see fit for good administrative practice, the Member Services Officer will determine essential comments to take on board.
3.	Two stage approval (and publish) of minutes on ColnS. Identify whether Northgate can provide this functionality (as per wish list). Modern Gov. option provides this.	No – may be extra cost	Explore
4.	Discontinue use of Kalamazoo paper (once current stock removed). Keep only 1 paper copy.	Yes – cost of Kalamazoo in total (per annum) to be removed. £34.11 per pack 3 packs used per annum + £12.95 delivery = £115.28	Could be implemented but presentation of good quality historical record affected, Members choice.

		Additional time also saved in terms of printing on Kalamazoo and dealing with approvals and invoice for Kalamazoo = 1 hour per annum	
5.	Paper issue of Minute book – to be changed to electronic issue of Minute book (email attachments or email links)	Yes – saves printing 5,670 pages per annum (double sided) £17.57 Saves printing time: Assuming 2 second per printed page (double sided) = 3.15 hours per annum	Subject to Members being happy with this change this could be implemented.
6.	Current process includes inserting meeting date in 5 different locations/documents (ColnS; meetings involving members; room booking; Own electronic diary; Own paper diary). Potential to remove the 'meeting involving members' calendar in outlook and place items in Colns, however this would mean dates being available for public to see (facility to restrict view is available with Modern gov).	Time saved in inserting multiple dates and also in checking for available rooms on an ad hoc basis 30 minutes (average) x 50	This cannot be done within Colns. <u>(Will be considered as part of modern gov if option for that system chosen by Members.)</u>

	Timetable training programme at start of year, with training events based on historic demand (e.g. Planning training)	committee meetings = 25 hours per annum	
7.	Member services issue reminders before scheduled Chairman's Briefings & pre-agenda meetings – if meetings are scheduled discontinue reminder practice, if unscheduled, continue to remind.	Time saved in reminding Members and Officers of meeting commitments 2 minutes x 20 meetings = 40 minutes per annum	The time saved here may not outweigh the advantages of a reminder.
8.	Reports and agenda items submitted late to Member Services – Requires a communication to all parties that the current position is unacceptable and submitting the performance to DSH (i.e. the numbers of reports/items submitted late per cycle).	Time saved in re-working agendas on an iterative basis Average 30 mins x 50 meetings = 25 hours per annum	There are often good reasons why reports are submitted "late" as per <u>when measured against</u> internal targets. It would take much of the time saved to prepare the performance report referred to.
9.	Duplicate typing of forward plan items (due to ColnS lack of functionality). Identify whether Northgate can provide this functionality (as per wish list). Modern Gov. option provides this.	No – may be extra cost	Worth investigating.
10.	Lack of version control and failure by authors to follow green guide (by saving latest version of reports onto the R drive) – Via Heads of Service to ensure that reports are properly version controlled and ONLY saved on the R drive (not by email to member Services)	Time saved in re-working incorrect reports (into Agendas) and time saved 'chasing' authors for latest version	Implement but as this is already the instruction this is unlikely to be achieved.

		of work Average 10 minutes per meeting x 50 meetings = 8 hours per annum	
11.	Advice given unnecessarily on basic green guide protocols (without having first read the guide)	Time saved in giving advice that is available within the green guide (n.b. difficult queries about specifics in the green guide are not part of this change). Included in time savings above	Noted (see recommendation 7 at 1.14.1 of the CPC report and 17 below)
12.	Draft and final agendas currently all printed for distribution list – to be issued electronically, subject to the legislative requirement to send out a paper copy of the agenda notice to Members on bodies (LGA 1972)	Yes – saves printing 607,882 pages per annum (double sided) 542,2331 x £0.0031p = £1,680.92 Saves cost of issuing 1,221 letters per annum 1221 x £0.33 = £402.93 (NB best case cost included – it is likely that	Earlier MSR review has reduced printing costs. Proposal cannot be implemented fully due to legislative requirements and the fact that Members and Officers currently need some paper copies but could move towards this in the long term with the roll out of I pads – at a cost. Some further reductions of copies despatched to some officers and external agencies may be achieved.

		<p>cost per envelope would exceed this as would contain agendas with up to 400 pages per envelope)</p> <p>Cost of paper = £13.26 per bundle (2,500). Use 216.89 bundles for volume = £2,876</p> <p>Cost of plastic envelopes for member run £16.34 per 100</p> <p>Saves printing time and packaging/posting time</p> <p>50 meetings x average 8.5 minutes = 7hours (Admin)</p> <p>May be a requirement to invest in iPads for all Members (cost of £300-£400 each)</p>	
13.	Member Services and legal services check all reports for legalities and compliance. Introduce a feedback loop where non-compliant reports (against green guide) are	Time saved in making amendments to	This is currently done, depending on timescales, additional work netted off against earlier time savings.

	retuned to authors to make the necessary amendments. This will improve quality	reports and chasing authors where larger amendments are necessary No saving. Additional work	
14.	Discontinue use of Kalamazoo paper (see Minutes table – tasks 14 and 15)	Yes – cost of Kalamazoo in total (per annum) to be removed. Additional time also saved in terms of printing on Kalamazoo and dealing with approvals and invoice for Kalamazoo CARE – DUPLICATE SAVING, already counted in Minutes process	Dealt with earlier.
15.	Late inclusion for items not previously in Forward plan creates re-work (for MS)	Time saved in discontinuing process 30 minutes x 6 occurrences per annum = 3 hours per annum	Sometimes this is unavoidable.
16.	Printing and issuing pre agendas – covered in Agenda	CARE –	Dealt with earlier.

	process	DUPLICATE SAVING, already counted in agenda process	
17.	Often report titles change from the forward plan – communication to authors and DSH to affirm that titles in forward plan cannot be changed. Set up Member Services news-letter for issue to all DSH – including compliance statistics (every cycle – 2 months). Set up annual green guide training for all report authors	Time saved – in not having to re-work titles. Approx. 60 reports per annum (12 per meeting) of which 30% require title changes against the forward plan. Each amendment takes 5 minutes. 18 x 5 minutes = 1.5 hours per annum	Annual Green Guide training to be set up however, sometimes title changes are unavoidable and to produce such compliance statistics in a newsletter would be counter productive.
18.	Pre agenda meeting includes reports already discussed at DSH (re-work). Agreement to only take reports that have not been discussed to pre agenda (i.e. either or). Preference is pre-agenda	No time saving, as preference is to have all reports at pre-agenda meeting and none at DSH	Noted, matter for discretion of Heads of Service.
19.	Waiting for approval is WAITING (in Member Services Offices &MD). Set aside a set date and time post Council meeting to introduce flow	No (process) time or cost saving applies, as business value to MS & MD's time.	Noted.

		Will reduce cycle time	
20.	<p>Restrict the use of paper copies to Operational and Legal staff.</p> <p>Change wording of email (issuing amendments electronically as well as by paper) to say 'please contact Member Services if you wish to continue receiving paper copies'. This change would be contrary to the current wording, which emphasises the need to contact Member Services if recipients wish to stop receiving paper copies</p>	<p>Duplicate as printing cost already identified above. Potential saving of 4 (minimum) or 5. 20 pages x 6 issues x 4 staff 480 pages x £0.0031 = £1.49. No saving in paper, as paper remaining from additional bundles bought) see task 15 in agenda process</p>	<p>Officers who have indicated they wish to receive paper copies do need them therefore retain current wording to avoid multiple Emails from recipients.</p> <p><u>Appropriate circulation facilitates self-service on basic constitutional enquiries.</u></p>
21.	<p>It is envisaged that at a future point these can all be compiled and retained electronically. However, the savings in time and resource will be minimal, therefore suggest no change immediately. Explore the CoInS functionality to ensure will support fully electronic recording – verify the legality of electronic 'signatures' – consult with audit on necessity for paper copies. Meantime, continue to promote electronic completion as a preferred option.</p>	<p>None – may be extra cost</p>	<p>Explore as indicated.</p>
22.	<p>Should now include standard training dates for Induction and Planning, Licensing and O&S committees. To remove</p>	<p>None</p>	<p>Implement</p>

	the need for producing these separately. <i>(NB This is cross-referenced to Task 4 on Agendas.)</i>		
23.	At the moment dates are recorded in 5 different places: ColnS/Room Bookings/Meetings involving Members/Outlook calendars for MS/personal diaries. Not everything needs to be in all places but, consider the opportunity to have a direct link between ColnS and Outlook? Is it possible to create a central authority/corporate diary to minimise the risk of double-booking or dates being missed? (Note: The diary in ColnS is operationally valuable, as it generates agendas and minutes within the system) <i>(NB This is cross-referenced to Task 4, 17 & 22 on Agendas.)</i>	See Agendas.	See Task 4
24.	Provide 'permissions' for MS staff to be given viewing access for corporate Outlook calendars such as Room Bookings, to save time when scheduling timetables.	None – hours only.	Implement
25.	Remove the need for a separate Members Update timetable. The information already exists within the individual committee timetables; so, this is a duplication. Officers would need to be disciplined to check those.	None – hours only. 2 hrs annually	Implement
26.	Reinforce the need for officers to drop content into R drive, rather than emailing individual MS team members.	None – hours only.	Implement

	<i>(NB This is cross-referenced to Task 9 on Agendas.)</i>		
27.	Reinforce the need for officers to submit content in line with Green Guide. <i>(NB This is cross-referenced to Task 10 on Agendas.)</i>	None – hours only.	Implement
28.	Remove need for all hard-copy printing. All can be made available electronically. (Note: elected members are each provided with a printer; therefore, they can choose to print themselves if they wish.) Combine Corporate & Exec O&S Members Updates into one. Planning – 319; <ul style="list-style-type: none"> • Corporate – 409; • Exec – 17; • L&A – 17; • L&G – 6. 	15-18 copies are printed. 768 x £0.0031 = £2.38 Paper costs = £13,26 x = £4.07 (Cost included in printing costs referred to above)	Printed copies are at a minimum level. implement <u>Implement</u> combining Corporate and Executive Overview & Scrutiny “Members Updates”.
29.	The communication with those permitted to speak should be administered and controlled by one service perhaps Planning for inclusiveness and a list of speakers provided just prior to the start of the meeting, This would eliminate waste in communication when issues arise e.g. eligibility to speak. E-mails requested from consultees during the original	None – hours only. Non quantifiable. Predominantly hours, minimal paper saving. Service	Explore by way of a review.

	<p>consultation on Planning Applications to enable communication to be undertaken via electronic means as much as possible, rather than hard copy currently, and might encourage greater use of electronic responses. In view of comments made – the organisation perhaps needs to reconsider this whole process to contemplate:</p> <ul style="list-style-type: none"> • Who (which service) takes responsibility? • Whichever it is decided to administer, a (10-minute) pre-meet should be undertaken to smooth the way forward; • Whether the criteria for public speaking remain appropriate and relevant? • Do the rules for ‘engaging’ speakers remain valid? • Ensuring that applying the criteria is an independent role; • Can the meeting agenda be flexible to enable those items which have a public speaker to be brought forward more readily? <p>By addressing these issues, the process would be streamlined, roles would be clarified, and the public credibility would be enhanced.</p>	improvement.	
30.	<p>Produce FAQ’s for general queries about how it all works, to negate some of the queries coming forward from members of the public. Links to Item 1&4 above.</p>	None – hours only. Service Improvement	Implement

APPENDIX 3B

	Legal Services Change Proposed – Appendix F	Savings	Comments
1.	<p>Move from part electronic/part paper based filing system to wholly electronic system with no paper files created or paper records held for new matters</p> <p>Potential for development of standard document types within IKEN to ensure consistent document classification.</p> <p>Time saved stated here for opening process. Paper and print savings quantified here represent whole system savings.</p> <p>Additional non mapped time saving for all officers on printing paper documents out to place onto the file.</p>	<p>Average time to set up new paper file = 7 minutes per file. Time recording estimate 17.92 hours per annum setting up new paper files.</p> <p>Saving on Paper - Av 825 file per annum @ 200 pages = 165,000 pages A4 per annum at £13.61 per packet (2500) = £898.26</p> <p>Saving on Printing -165,000 pages printed at £0.003 = £495</p> <p>Saving on Stationery Expenditure - approximately £600 per annum including file</p>	<p>We will maintain our aspiration to become ‘paper light’. However, having no paper files may be possible for a limited number of types of matter in the longer term e.g. debt recovery work. It is simply not practical for the full range of legal work carried out to only have electronic files at this time, particularly given the context in which we work and the current stage of development of the electronic system and those of others, e.g. the Courts.</p>

		jackets, dividers, labels.	
2.	Electronic files would not require collection. If document requires permanent retention this could be scanned for access and then stored in long term storage off site or in the basement. All other documentation could be disposed of. Scanning process would need to be compliant with British Standard 10008 Evidential Weight and Legal Admissibility of Electronic Information & BIP 0008: UK document management legal admissibility.	Savings on visits to the basement x 15 minutes per visit. 140 visits annum x 15 minutes per visit = 35 hours per annum.	See above. Short term time savings marginal as archived paper files and deeds would still need to be handled manually.
3.	Electronic files could be closed on system by Solicitor as there would be no requirement to take a hard copy to the basement. Small offset of saving for documents that have to be retained in paper form.	Covered in line 6 above.	Noted
4.	Where files are currently scanned there is considerable wait time for availability of the device. Could priority be given for scanning access to MFD or timeslot allocated? Alternatively could a continuous feed scanner be purchased for sole use by the service?	Ad hoc wait time unquantifiable. Additional cost.	Noted and to be investigated, subject to resources.
5.	Additional documentation could be scanned and added to IKEN instead of being taken down in batches to be added to the hard file.	Once per week x 25 mins = 21.7 hours	Implement where practicable.
6.	Potential for dual screens to limit printing so that documents are read on the screen instead	Time spent printing documents per day (whole service) = 45 minutes x 220	Practically many documents need to be printed and worked on and costs would offset saving, often more than 2 screens would be needed.

		days = 165 hours	
7.	Electronic spreadsheet of paper files on loan to non-fee earning officers would not be required if electronic filing was used as electronic filing would provide simultaneous access to multiple users. External users such as audit could be provided with temporary access as and when required, through the use of a generic login.	Five minutes to log on spreadsheet.	See above re. comprehensive electronic filing.
8	<p>On file destruction duplicate scans of information are added to system as no way to identify what has been attached to IKEN whilst case is open and what hasn't.</p> <p>Moving to electronic filing only would remove the need for the paper to be shredded at the end of the process. Papers are removed from file. Paperclips reused. Labels removed from folder and any other identifying marks.</p> <p>Paperwork is sacked up and taken out on a four week cycle.</p>	Time recording indicates 128.7 hours per annum spent on file closure and destruction. 10 sacks per cycle x 15 minutes per sack. 32.5 hours per annum.	See above re. comprehensive electronic filing system. Paper files and archived paper files would still need to be destroyed in accordance with the Retention and Disposal Policy.
9	<p>Utilise standardised client instruction form within all services. Client instructions no longer to be taken on the phone or through a general email.</p> <p>Improved Client Instruction process would help reduce waste – at present 70% of instructions are from housing and are comprehensive, the other 30% are not</p> <p>Could electronic copies of documents be made a requirement for provision by client at the start of the process?</p>	Non quantifiable. Will affect whole process as will help to ensure the maximum level of information provided up front.	<p>Enhanced client instruction form to be introduced for debt recovery work, however instructions from client services, in certain circumstances, may be appropriate via the phone or general email.</p> <p>Matter to be explored.</p>

10	Automated letter of claim to be produced by IKEN	Time saved = 180 per annum x 10 minutes = 30 hours per annum	System to be developed, subject to resources.
11	Improve/utilise functionality of IKEN to create email to client service to advise of debt to be loaded onto their core system. This would save SM having to go onto each system: users know their system better, are probably already logged into it, SM would not need to be trained and minimises any security risk by access being available outside of the owner service.	Time saved = 180 per annum x 15 minutes = 45 hours per annum.	System to be developed, subject to resources and no “work shunting” to client service.
12	IKEN automate diary reminder for 14 days.	Time saved = 180per annum x 2 min = 6 hours per annum	System to be developed, subject to resources.
13	Improve/utilise functionality of IKEN to hold template ‘Pleadings’ to be populated, which would prompt an auto-email to service to update core system. Modify client instruction form to include list of basic documentation required for different types of cases. Provide clear advice to client at point of instruction that once a case is with legal no negotiations should go on outside of that process between client and debtors.	Not yet quantifiable	System to be developed, subject to resources.
14	Raising a cheque causes work – explore if the court will accept payment via other means; <i>caution</i> : may cause issues with court marrying payment to paperwork.	Not yet quantifiable	Matters to be explored further.

	<p>Alternative would avoid risk of missing twice-weekly payment run. At present SM emails Housing to advise of changes, but Revenues & Payments need a form to be filled-in, hard-copy to them, who send an invoice back, just to be filed.</p> <p>Finding two signatories causes significant process delay. Check with audit and BTLS for specifics about why two signatories are required.</p> <p>Could a corporate credit card be used instead of cheque process?</p>		
15	Judgement request created in IKEN and prepopulated.	Time saved = 175per annum x 5 minutes = 14.5 hours per annum	System to be developed, subject to resources.
16	IKEN automate diary reminder for 28 days	Time saved = 175 per annum x 2 min = 5.8 hours per annum.	System to be developed, subject to resources.
17	Is a separate invoice required every time costs are incurred? could these be added to the account automatically by the Client when receiving the automatic updates.	Not yet quantifiable	System to be developed, subject to resources.
18	Instead of writing to debtor, write to the client to inform judgement received and ask them to confirm what they now want to happen – give a 2-month deadline, otherwise case will be closed.	Time saved = 175per annum x 5 minutes = 14.5 hours per annum	System to be developed, subject to resources, however legal veracity of this approach to be examined.

	Improve/utilise functionality of IKEN to automate an email reminder to client in 6 weeks warning of impending case expiry.		
19	IKEN diarise reminder notification for 7 days after date of first payment.	Time saved = 175 per annum x 2 min = 5.8 hours per annum.	System to be developed, subject to resources.
20	Improve/utilise functionality of IKEN to automatically create a diary date for follow-up in appropriate timescales	Time spent entering dates into IKEN offsets saving in calendar appointments creation.	System to be developed, subject to resources.
21	Although not a significant volume of cases, consider further training for service users to enable a higher proportion of statements to be completed properly.	Covered above.	Agreed, subject to resources.
22	Raising a cheque causes work – explore if the court will accept payment via other means; <i>caution</i> : may cause issues with court marrying payment to paperwork. Alternative would avoid risk of missing twice-weekly payment run.	See Item 10 above.	Matters to be explored.
23	Utilise IKEN system for trial bundling process and document pagination.	15 bundles at 4 hours spent printing/copying bundles per annum = 60 hours per annum Additional cost.	Separate IKEN software would be needed, explore subject to resources.

24	Trial bundles could be emailed to barrister and defendants solicitors.	Covered in line 16 above.	See 16 above.
25	Develop standardised client instruction form to be used by all Services. Could electronic document bundles be made a requirement for provision by client at the start of the process?	Non quantifiable. Will affect whole process as will help to ensure the maximum level of information provided up front.	Enhanced client instruction form to be developed.
26	Client to provide witness availability for next three months as part of task 1.	Included in task 1	Appears impracticable.
27	Limit the number of copies of Trial Bundles, to ensure minimum wastage on the number of copy documents printed.	To be decided	Current practice.
28	Improve/utilise functionality of IKEN to automatically create draft document templates.	Not yet quantifiable	System to be developed, subject to resources.
29	Large proportion of FOI's related to BTLS and they need to feedback reasons for refusal to SAaESO officer. FOI's in relation to BTLS could be processed and response made in their name.	None	Legally the Council need to co-ordinate the response.
30	Co-ordinated responses are responsibility of SAaESO, quite often one service is responsible for the majority of the information and only minor information is required by other services. This could be effectively co-ordinated more efficiently by the primary responder.	None	Discussions to be held.

31	<p>High level of failure demand into LS when information could be found through the guidance found on the intranet.</p> <p>Training for link officers in use of FOI guidance to allow greater degree of self-serve</p>	Non quantifiable	Training to be provided.
32	<p>Degree of chase up required to ensure 20 day compliance is achieved. Excel could be held on a shared folder rather than emailed around Link Officers. Automated reminder emails could be sent at agreed intervals to minimise staff time spent on chase ups.</p>	Non quantifiable	System to be developed, subject to resources.
33	<p>Could electronic document bundles be made a requirement for provision by client services at the start of the process?</p> <p>Requirement for client services to collect an email address for the potential tenant and include this in the client instruction.</p>	To be decided	Matters to be explored, <u>subject to resources</u> .
34	<p>Standard documentation could be created in IKEN, current letters on system require updating. If additional fields on IKEN are created and filled in at file opening stage this would allow for a greater proportion of documents to be prepopulated.</p>	To be decided	System to be developed, subject to resources.
35	<p>If documents created in IKEN formatting should be correct first time every time. If this cannot be achieved further training in how to use MS Word could offset the requirement to send the documentation to typing pool for processing.</p>	Savings for typist offset by time increase in legal.	It is more cost effective to use the typist for this work.
36	<p>If letters are not sent to typing then there would be no</p>	250 matters per	Implement as appropriate subject to

	need for check.	annum x 15 minutes per check = 62.5 hours per annum off-set by proof reading of auto-created documents	system development. <u>There would remain a need to proof read.</u>
37	Only 2-3% come back with issues. Check could be removed.	No time in legal, small time saving in client services.	Noted.
38	IKEN to diarise reminder for 10 days. Reminder letter to be auto-created after 10 days and emailed to Solicitor and CC in client. IKEN to diarise second reminder for 10 days. Final reminder letter to be auto-created after a further 10 days and emailed to Solicitor and cc in client. IKEN to diarise file closure for 10 days. Matter closure notification to be auto-created after a further 10 days and emailed to Solicitor and cc in client.	125 reminders per annum x 10 minutes = 20.8 hours 63 final reminders per annum x 10 minutes = 10.5 hours.	System to be developed but would not be in the interests of the Council to close a file after two reminders.
39	Do all copies of documents have to be 'engrossed' before sending? Some clients seem content to sign un-engrossed documents. Is this a proposed departure from tradition, or is it a legal requirement?	Non quantifiable	Engrossments are only used where considered appropriate.

40	Client could clarify how tenant would like to execute the lease at the beginning of the process. Could this be included as a field in IKEN and as part of the client instruction form.	Non quantifiable	System to be developed.
41	<p>Utilise standardised client instruction form within all processes. Each individual instruction form would have a series of required basic documentation (tick list) to prompt client to include in bundle. Any instructions received within these would be rejected back. Client instructions no longer to be taken on the phone or through a general email.</p> <p>Could electronic document bundles be made a requirement for provision by client at the start of the process?</p> <p>Does IKEN have web based functionality whereby an electronic client instruction forms could reside on the intranet and then populate the database?</p> <p>Alternative would be a triage stage at the beginning of the process whereby the client sends the instruction form and the electronic bundle to a named individual who then enters this information onto IKEN before it is electronically work-flowed onto the Solicitors.</p> <p>Standard acknowledgement response to be developed for all processes identifying a standard response time for each type of instruction. This will minimise failure demand progress calls into the section.</p>	Identified as part of each individual process.	<p>Enhanced client instruction form to be introduced however instructions from client services in <u>many-some</u> cases will be appropriate via the phone or general email.</p> <p>Matter to be explored.</p> <p>System development, subject to resources.</p> <p>To be explored and implemented most cost effectively i.e. fee earner or typist.</p> <p>System to be developed.</p>
42	Rework incurred by having to go back to client to obtain	25 per annum x 2	This work is necessary, clients will need

	basic information. Introduce improved client instruction forms.	hours = 50 hours	professional work to present instructions appropriately and for the Council to commission legal work cost effectively.
43	<p>Originating service should process PO's and pass for payment.</p> <p>Processing of invoices within LS should move back to originating service. Quality check only should occur within LS.</p> <p>Check with S151 officer regarding open ended PO as very difficult to quantify the cost of a case at outset. In the case of trials, it is not always possible to predict accurately the likely cost of engagement, and barristers prefer to invoice as soon as a piece of work has been undertaken and fees incurred. Continually having to raise new PO's builds 'waste' into the processes.</p>	<p>60 per annum 30 min per case = 30 hours</p> <p>120 invoices per annum x min per invoice = 30 min = 60 hours per annum</p> <p>Wait time and chasing of budget holders = approx. half of 60 cases per annum x 150 min per case = 75 hours.</p>	<p>It is not appropriate to "work shunt" to other services.</p> <p>To be explored with Borough Treasurer.</p>
44	If S330 notice not returned reminder process triggered. Could this follow the principles above for development of IKEN e.g. automated reminder, final reminder.	32 cases per annum 10 minutes per case = 5.3 hours per annum	System to be developed.



AGENDA ITEM: 5(b)

CABINET:
17 March 2015

PLANNING COMMITTEE:
19 March 2015

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Mr S Benge (Extn. 5274)
(Email: stephen.benge@westlancs.gov.uk)

SUBJECT: AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

- 1.1 To recommend the draft Affordable Housing Supplementary Planning Document (SPD) for public consultation in May / June 2015.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the draft Affordable Housing SPD (Appendix A to this report) be approved for public consultation, subject to any amendments made by the Assistant Director Planning, in consultation with the Portfolio Holder, as per recommendation 2.2 below.
- 2.2 That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Affordable Housing SPD, in the light of agreed comments from Planning Committee, before the document is published for consultation.

3.0 RECOMMENDATIONS TO PLANNING COMMITTEE

- 3.1 That the content of this report be considered and that agreed comments be referred to the Assistant Director Planning, in consultation with the Portfolio

Holder, for consideration of whether any amendments should be made to the draft SPD before the start of the public consultation period.

4.0 BACKGROUND

- 4.1 Securing and / or facilitating the provision of affordable housing is a priority for West Lancashire Borough Council. The most recent Housing Needs Study (published in November 2010) concluded there was a need to provide 214 net new affordable homes per annum to meet newly-arising affordable housing needs, and to make up the backlog in affordable housing provision.
- 4.2 Policy RS2 of the adopted West Lancashire Local Plan 2012-2027 (WLLP) sets out a requirement that a percentage of the units in most residential development schemes of 8 units and more should be affordable, the percentage varying according to the size of the residential scheme and its location in the Borough. Policy RS2 also covers such matters as affordable housing outside settlement boundaries, on and off-site affordable housing provision, and specialist housing for the elderly.
- 4.3 WLLP policy RS2 makes reference to a “forthcoming Supplementary Planning Document” (SPD) which will provide more detailed policy to aid the implementation of affordable housing, covering the size, type and tenure of affordable units, and which will be able to vary the percentage requirements for affordable housing, should more up-to-date evidence become available on matters such as housing needs.
- 4.4 WLLP policy RS1 includes a requirement that in housing developments of 15 dwellings or more, 20% of the units should be designed specifically to accommodate the elderly. The justification for this requirement stems from the ageing population of West Lancashire (43% of households in West Lancashire are projected to comprise people aged 65 or over by 2033). The WLLP allows for the affordable housing and elderly persons’ housing requirements to overlap where appropriate, in order *inter alia* to help ensure the viability of development and to ensure provision of an appropriate mix of affordable and market accommodation for the elderly.
- 4.5 Since the adoption of the WLLP, central government has amended national planning policy guidance with regard to affordable housing thresholds. In November 2014, it was announced that outside “designated rural areas” (West Lancashire does not contain any designated rural areas), affordable housing contributions cannot be sought from developments of 10 dwellings or fewer, unless the total floorspace of the development is more than 1,000 square metres. This threshold is not consistent with the threshold of 8 units set out in WLLP policy RS2.
- 4.6 The November 2014 change to national affordable housing thresholds was accompanied by a new mechanism entitled ‘Vacant Building Credit’. This applies to the redevelopment of brownfield sites. It requires that where existing buildings are demolished or brought back into lawful use, these buildings’ gross floorspace

should be deducted from the calculation of any affordable housing contributions sought from relevant development schemes.

- 4.7 The Council adopted a Community Infrastructure Levy (CIL) charging schedule in July 2014, which took effect from 1 September 2014. CIL is chargeable on residential development across the majority of West Lancashire. However, under the CIL Regulations, social housing can qualify for relief from CIL payments, subject to certain criteria being satisfied.

5.0 CURRENT POSITION

- 5.1 A draft affordable housing SPD has been prepared, based upon policies RS1 and RS2 of the West Lancashire Local Plan, adding more detail or further clarification to these policies, whilst taking into account changes to national planning policy and / or guidance with regard to affordable housing, as well as the Council's adoption and implementation of the CIL charging schedule.

- 5.2 The draft SPD covers the matters set out below, and contains a number of policies and / or points of clarification:

- Quantity of affordable housing – the SPD repeats the percentage requirements for affordable housing set out in WLLP policy RS2, except where policy RS2 is at odds with the new national threshold of 11 units. The national threshold prevails, except in the case of housing schemes of 5 units or more in Small Rural Villages, where it is proposed that WLLP policy will continue to apply, as this aspect of policy RS2 is consistent with paragraph 54 of the National Planning Policy Framework. Where development in the Green Belt is deemed acceptable, for example where the development proposal meets one of the exceptions set out in paragraph 89 of the NPPF then affordable housing contributions will be expected from housing developments in the Green Belt of 11 dwellings or more. It also acknowledges central government's recent introduction of 'Vacant Building Credit'.
- Tenure and type of affordable housing – the SPD sets out in more detail the Council's position with regard to what types and tenures of housing will count as 'affordable housing' for the purposes of WLLP policy RS2.
- Specialist housing for the elderly – the SPD provides further clarification on what will constitute 'specialist housing for the elderly' for the purposes of WLLP policy RS1, how this relates to affordable housing provision, and how / to what extent the two requirements may overlap.
- On / off site affordable housing – the SPD provides further clarification to the WLLP policy RS2 provisions with regard to off-site affordable housing. It reiterates that the Borough Council will not accept commuted sum payments in lieu of actual built affordable housing provision.
- Viability considerations – the SPD outlines the Council's position with regard to how the various policy requirements may be varied in certain cases in order to ensure the viability of proposed developments. This ties together

the different references to viability in the WLLP, as well as reflecting national policy and guidance. The SPD also sets out in more detail what would be expected in a viability statement, and how such statements will be assessed.

- The Community Infrastructure Levy – the SPD sets out the criteria that would need to be satisfied if development is to qualify for mandatory relief from CIL charges.

5.3 In accordance with Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council wrote to a number of statutory consultees and other interested parties during January and February 2015, advising of the Council's intention to prepare an affordable housing SPD, indicating what the SPD would be likely to contain, and asking for views on what topics the SPD should cover.

5.4 A total of 13 representations were received to this consultation, 6 with comments, and 7 advising they had no comments to make at this stage. The following points were made:

- Developments of over 50 units should be accompanied by a transport statement;
- Affordable housing should only be allowed on sites with adequate amenities and facilities;
- The percentage requirements of the Local Plan policy RS2 should be met in full, on-site, and should not be allowed to be offset or avoided;
- Brownfield and non-Green Belt development is preferred to greenfield / Green Belt development;
- Dwellings should be sufficiently large, and should allow front to rear access (e.g. for refuse) without needing to pass through the building;
- 30 dwellings per hectare should be a maximum density in rural areas;
- The SPD must not vary affordable housing percentage requirements from the Local Plan, but should take account of the recent national change to thresholds and the introduction of vacant building credit;
- Extra detail would be welcome on tenure and type of affordable housing, elderly housing, on-off site provision and CIL;
- The proposed section on viability would be welcome;
- The SPD cannot have a policy on space standards; such a policy needs to be in a Local Plan or Development Plan Document that has been subject to public examination and viability testing.

5.5 A summary of the comments received and the Council's response to these comments (including how the issues raised are being addressed, or why they are not being addressed, in the SPD) is provided at Appendix B for Cabinet to take into account as they consider recommendation 2.1 above.

6.0 NEXT STEPS

- 6.1 Should Cabinet endorse the draft SPD for public consultation, the consultation is proposed to take place for six weeks, from Thursday 14 May – Friday 26 June 2015.
- 6.2 Following the consultation period, all comments submitted to the Council will be recorded, acknowledged and considered, and any necessary amendments to the SPD will be made. It is anticipated that the final SPD will be brought to Cabinet seeking authority to adopt in September 2015.

7.0 SUSTAINABILITY IMPLICATIONS / COMMUNITY STRATEGY

- 7.1 The provision of sufficient affordable housing for residents across West Lancashire makes a contribution towards the social aspect of sustainability by providing lower income residents with opportunities to live in the settlement of their choice. If this also provides such residents with easier access to services and employment, it can contribute towards environmental and economic sustainability.
- 7.2 As part of the preparatory work on the Affordable Housing SPD, a screening exercise was carried out by Council officers, to test whether the SPD needed a Sustainability Appraisal (SA). It was concluded that no SA of the SPD is required. This view was backed up by the statutory consultees who were consulted as part of the screening process.
- 7.3 Providing more appropriate and affordable housing to meet the needs of local people is one of the key objectives of the West Lancashire Sustainable Community Strategy 2007-2017.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 The preparation of the Affordable Housing SPD (and consultation on it) can be resourced through the Planning Service's revenue budgets.
- 8.2 The adoption and implementation of the proposed policies set out in the SPD should result in the provision of additional affordable housing in the Borough. This in turn should lead to the receipt of extra New Homes Bonus funding for the Council.

9.0 RISK ASSESSMENT

- 9.1 Not having an up-to-date affordable housing SPD that clarifies WLLP policies RS1 and RS2, and that reflects changes to national policy introduced since the adoption of the WLLP in October 2013, could lead to developers challenging some of the Council's requirements for affordable housing in new residential developments, possibly leading to a loss in potential contributions towards meeting the Borough's affordable housing needs. The speedy preparation and adoption of this SPD should ensure that the above scenario is avoided.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected Members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal Equality Impact Assessment is attached as Appendix C to this report, the results of which have been taken into account in the recommendations contained within this report.

Appendices

- A. Draft Affordable Housing SPD
- B. Consultation Statement
- C. Equality Impact Assessment
- D. Minute of Cabinet 17 March 2015 (Planning Committee only)



Supplementary Planning Document

Affordable Housing

March 2015

John Harrison, DipEnvP, MRTPI
Assistant Director Planning
West Lancashire Borough Council



Preface

West Lancashire Borough Council recognises the pressing need for more affordable housing in the Borough, and considers the provision of affordable housing a priority. The Council also appreciates the ageing population in the Borough and its implications in terms of accommodation needs. The Council will seek to do all within its power to facilitate the delivery of more affordable dwellings and homes suitable for the elderly across West Lancashire, whilst recognising the constraints of the economic, policy and legal framework within which it operates.

This supplementary planning document provides more detail and guidance on the Borough Council's policy relating to the provision of affordable and specialist elderly housing in West Lancashire. It is based upon, and consistent with, policy RS2 (Affordable and Specialist Housing) of the adopted West Lancashire Local Plan 2012-2027, as well as national policy and guidance.

This document constitutes the 'Consultation Draft' version of the supplementary planning document. The Borough Council is seeking comments on the contents of this document from the public, developers, Registered Providers, and others with an interest in affordable and elderly accommodation.

The document, along with comments forms and related information, will be available during normal working hours at the Council offices and public libraries in West Lancashire, as well as on the Council's website. The consultation period runs from Thursday 14 May – Friday 26 June 2015.

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1.0 Introduction

- 1.0.1 This Supplementary Planning Document (SPD) on affordable housing forms part of the suite of planning documents associated with the West Lancashire Local Plan 2012-2027 (WLLP or 'the Local Plan'). This SPD is subsidiary to the overarching Local Plan, which provides strategic and development management policies for West Lancashire Borough.
- 1.0.2 The purpose of this SPD is to provide guidance and extra detail on how policy RS2: Affordable and Specialist Housing of the WLLP will be applied, and to explain how different types of affordable housing can be provided within the Borough. The SPD will also cover specialist housing for the elderly.
- 1.0.3 West Lancashire enjoys an attractive natural environment and its settlements are pleasant places to live, within easy commuting distance of Liverpool, Preston, Wigan, Southport and Manchester.
- 1.0.4 However, over recent years housing market instability and cuts to the national affordable housing programme have reduced the overall supply of affordable housing relative to needs. A decline in mortgage lending has resulted in limited prospects and mobility for first time buyers. Changes in housing benefit payments, coupled with unemployment and net falls in household income all contribute towards people being less able to afford the homes they need. This is the case not only in West Lancashire, but across England as a whole.
- 1.0.5 West Lancashire has seen a significant increase in house prices over recent years, with the average house price up to nine times the average wage in the most affluent areas, leading to an acute need for more affordable housing across the Borough. The exception is Skelmersdale, where some house prices in the town are more affordable than elsewhere in the Borough.
- 1.0.6 WLLP Policy RS2 allows for its requirements to be varied through an affordable housing SPD, either as a result of changing viability considerations over time, or as a result of future housing needs studies demonstrating a change in the Borough's housing need. As such, this SPD allows for future variations in affordable housing policy if evidence clearly demonstrates such variations are required.

1.1 Definition of affordable housing

1.1.1 Annex 2 of the *National Planning Policy Framework (NPPF)* defines affordable housing as:

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing¹.

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

1.1.2 Policy RS2 of the West Lancs Local Plan and this SPD both use the above NPPF definition of affordable housing.

1.1.3 The term **specialist needs housing** is defined in the WLLP as:

Housing providing suitable accommodation for specific sections of the community, including seasonal agricultural workers, the elderly or retired, and students.

This SPD will cover housing for the elderly (referred to in WLLP policies RS1 and RS2). Neither student accommodation nor accommodation for temporary agricultural / horticultural workers are covered by this SPD. Student housing is addressed in WLLP policy RS3: Provision of Student Accommodation. Accommodation for seasonal agricultural workers is covered by WLLP policy RS5: Accommodation for Temporary Agricultural / Horticultural Workers.

¹ Rent levels for this tenure do not exceed 80% of market rent in the locality.

1.1.4 **Specialist housing for the elderly** (or ‘accommodation designed specifically for the elderly’, as referred to in WLLP policy RS1) is not tightly defined; this looseness of definition is intentional in order to provide flexibility in the Local Plan policy. Specialist housing for the elderly is not tied down to a specific Use Class (it could be Class C2 or C3), nor is there a “minimum age threshold”. The Local Plan states that all new homes will be expected to meet the Lifetime Homes Standard, under which a property should be built in such a way that it can be adapted as its occupants get older or experience mobility problems, for example by having a stairway wide enough to accommodate a stair lift. In its most simple form, the requirement for providing specialist housing for the elderly would be satisfied by having a number of the Lifetime Homes features actually installed in a new property, rather than the property simply being capable of having the features installed. Specialist housing for the elderly could also constitute extra care accommodation, in which an element of personal care is provided to residents. Housing for the elderly is covered in more detail in Section 2.3 of this SPD.

1.1.5 The Housing our Ageing Population: Panel for Innovation (HAPPI) was established in June 2009. Its purpose was to research ways of ensuring that new build specialised housing meets the needs and aspirations of the older people of the future. HAPPI devised a set of principles (‘the HAPPI principles’) to facilitate the delivery of specialist housing. These principles are set out below, and are a useful set of standards to which providers of accommodation for the elderly should have due regard:

- Generous internal space standards;
- Plenty of natural light in the home and in circulation spaces;
- Balconies and outdoor spaces, avoiding internal corridors and single aspect flats;
- Adaptability and ‘care aware’ design which is ready for emerging telecare and tele-healthcare technologies;
- Circulation spaces that encourage interaction and avoid ‘institutional’ feel;
- Shared facilities and community ‘hubs’ where these are lacking in the neighbourhood;
- Plants, trees and the natural environment;
- High levels of energy efficiency, with good ventilation to avoid overheating;
- Extra storage for belongings and bicycles; and
- Shared external areas such as ‘home zones’ that give priority to pedestrians.

1.1.6 In addition to affordable housing and housing for the elderly, there is a need to provide accommodation for those with special needs. Delivery of such accommodation is a priority of Lancashire County Council, and will be supported by West Lancashire Borough Council (WLBC) on appropriate sites within this Borough.

1.2 Need for affordable housing

- 1.2.1 In 2009, the Council engaged consultants to undertake a comprehensive housing needs assessment for West Lancashire, down to ward / parish level. The resulting 2010 Housing Need and Demand Study (HNDS) highlights the levels of affordable housing need in the Borough's different parishes (or wards, in the non-parished areas of Ormskirk and Skelmersdale), including numbers of dwellings, tenure, and types and size of dwellings.
- 1.2.2 The HNDS indicates that there is a net annual shortfall of 214 affordable homes in West Lancashire. Other evidence (e.g. the 2011 Census and population projections) indicates that the Borough's population is ageing. The HNDS is available on the Council's website². In addition, the website contains detailed information on housing need at Parish or Ward level, based on the HNDS³.
- 1.2.3 The HNDS shows that across West Lancashire (with the exception of parts of Skelmersdale), the need for affordable housing is pressing, with median or lower quartile house prices several times the median or lower quartile wages in the area. Over recent years, only the settlement of Banks has seen any significant numbers of affordable dwellings provided.
- 1.2.4 It is expected that the Council will periodically commission further Housing Needs and Demand Studies over future years. If the results of any such studies were to indicate that a change in affordable housing policy is required, this SPD and / or the Local Plan would be likely to be amended accordingly to reflect the updated evidence.

² <http://www.westlancs.gov.uk/media/102400/housing-needs-survey-2010.pdf>

³ <http://www.westlancs.gov.uk/housing/affordable-housing/housing-surveys-and-research/parish-ward-housing-need.aspx>

1.3 Planning Policy Context

1.3.1 This section sets out the policy framework within which this SPD operates, both at national and local level.

National Planning Policy Framework

1.3.2 The National Planning Policy Framework (NPPF) sets out government policy on planning for affordable housing as follows:

- Paragraph 47 requires local planning authorities to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for both market and affordable housing in the housing market area.
- Paragraph 50 states that where local authorities have identified that affordable housing is needed, they should set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities.
- Paragraph 54 advises that local planning authorities should plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate, and should consider whether allowing some market housing would facilitate the provision of significant affordable housing to meet local needs.
- Paragraphs 89 and 90 set out types of development that may be considered appropriate in the Green Belt. These include:
 - the extension or alteration of a building;
 - the replacement of a building;
 - limited infilling in villages, limited affordable housing for local community needs under policies set out in the Local Plan;
 - limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land); and
 - the re-use of buildings provided the buildings are of permanent and substantial construction.

Some of the above categories of appropriate Green Belt development could result in the provision of affordable housing units, either directly, or as a proportion of the units delivered (if the threshold for providing affordable housing in WLLP policy RS2 is reached or exceeded – see Section 2.1 below).

- Paragraph 173 requires that, to ensure viability, the costs of any policy requirements should provide competitive returns to both the landowner and developer to enable developments to be deliverable.

Updates to National Policy

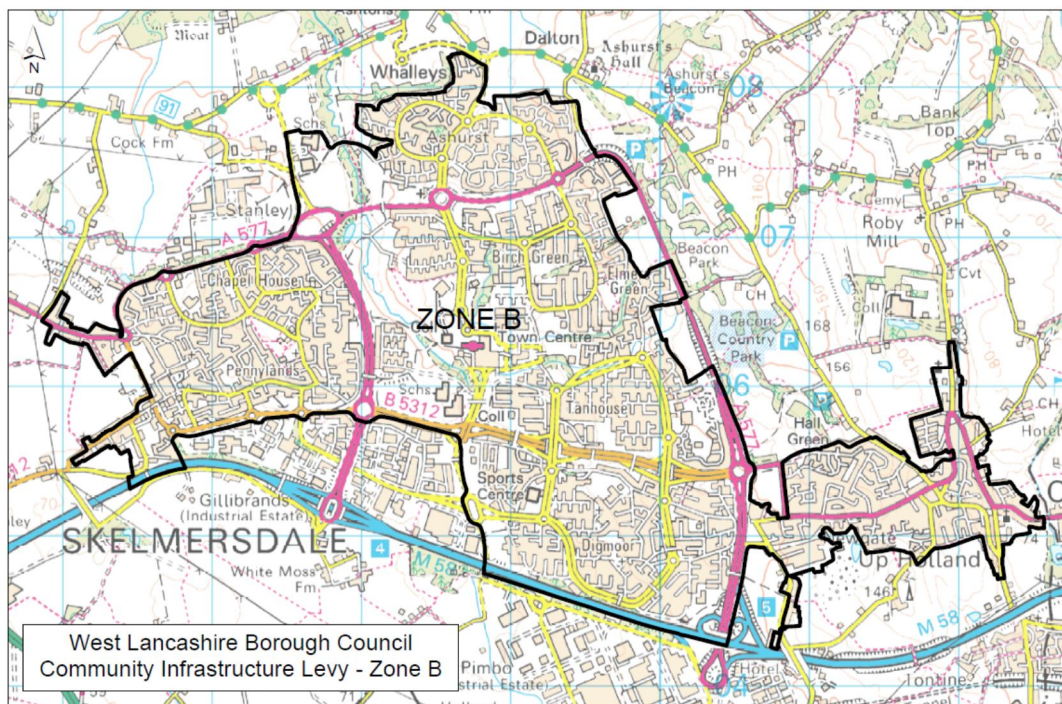
- 1.3.3 The NPPF remains the primary source of national policy on planning matters. However, since publication of the NPPF, the government has undertaken several consultations on proposed changes to policy, and has introduced some of these changes, some on a temporary basis, and others on a permanent basis.
- 1.3.4 In March 2014, the government introduced National Planning Practice Guidance (NPPG), a web-based planning policy resource⁴. NPPG provides extra detail and guidance to back up the national planning policies set out in the NPPF. NPPG may be updated periodically, but should always remain consistent with NPPF policy.
- 1.3.5 In November 2014, the government announced changes to NPPG with respect to affordable housing. Firstly, in terms of thresholds, affordable housing contributions can no longer be sought for developments of 10 residential units or less (maximum 1,000m² floorspace⁵). Secondly, 'vacant building credit' has also been introduced. This provision applies to the redevelopment of brownfield sites, and requires local planning authorities to take account of the floorspace of any existing buildings on site when calculating affordable housing requirements for the proposed new development. These changes to the NPPG are reflected in the policies in Chapter 2 of this SPD.
- 1.3.6 Other post-NPPF changes to national planning legislation, policy and guidance include new permitted development rights, some of which (for example office to residential conversions) could result in schemes whereby the number of new dwellings created is greater than the above national affordable housing threshold. However, NPPG advises that affordable housing contributions should not be sought from permitted development.

⁴ <http://planningguidance.planningportal.gov.uk/>

⁵ i.e. if a development exceeds 1,000m² in floorspace, an affordable housing contribution can be required, even if the number of units does not exceed 10. Conversely, if a development is of 11 units or more, an affordable housing contribution can be required, even if the floorspace does not exceed 1,000m².

The Community Infrastructure Levy and Planning Obligations

- 1.3.7 The Community Infrastructure Levy (CIL) is a provision that allows local authorities in England and Wales to raise funds from developers who are undertaking new building projects in their area. The principle behind CIL is that most development has some impact on infrastructure and should therefore contribute to the cost of providing or improving local infrastructure. Money raised through CIL can be used to pay for a wide range of infrastructure that is needed to support new development, for example transport schemes, green spaces and maintenance of new infrastructure.
- 1.3.8 West Lancashire Borough Council adopted a CIL charging schedule on 23 July 2014, taking effect from 1 September 2014. As a result, developments in West Lancashire that meet the conditions for CIL are required to pay a levy at the start of the development, or in instalments throughout the project.
- 1.3.9 Affordable housing will not be funded by CIL money. Instead, it will be secured primarily from market housing schemes above the national affordable housing threshold by means of planning conditions or Section 106 planning obligations, whichever are deemed the more appropriate.
- 1.3.10 A project is liable for CIL if it involves new-build floorspace over 100m², or a new dwelling of any size. Within West Lancashire, a CIL charge will be applied to residential, convenience retail, and food and drink development (Use Classes A3, A4, A5) within Zone A of the CIL Charging Schedule, shown below:



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1:18,000

Zone B – As set out in the above map
Zone A – The rest of the Borough outside of Zone B

- 1.3.11 Mandatory relief from CIL may be claimed for affordable ('social') housing, subject to a number of conditions. This matter is covered in Section 2.8 of this SPD.
- 1.3.12 Extensive further information on CIL is available on the Council's website: www.westlancs.gov.uk/CIL
- 1.3.13 The NPPF and the CIL Regulations set out the tests under which planning obligations should be sought⁶. If planning obligations are used, these must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 1.3.14 This SPD sets out how contributions for affordable housing from individual sites are worked out, in order that each development's contribution towards affordable housing is directly, fairly and reasonably related in scale and kind to the development proposed. Provision of affordable housing is considered necessary to make developments acceptable in planning terms, and the absence of an obligation may be considered to undermine the Council's Housing Strategy and impact negatively upon the provision of affordable housing in the Borough. Taking into account the advice set out in section 2.5 of this SPD with regard to financial viability, the Borough Council considers its approach towards affordable housing provision meets the NPPF tests. Furthermore, WLLP policy RS2, on which this SPD 'hangs', has been found sound at examination, one of the tests of soundness being its compliance with NPPF policies at the time of examination.

⁶ These were previously contained in Government Circular 2005/05.

West Lancashire Local Plan 2012-2027

- 1.3.15 The West Lancashire Local Plan 2012-2027 (“WLLP” or “Local Plan”) was adopted in October 2013. The policies of greatest relevance to the provision of affordable housing are policies GN1: Settlement Boundaries, RS1: Residential Development, RS2: Affordable and Specialist Housing, and IF4: Developer Contributions.
- 1.3.16 Policy RS2 sets out the percentage of affordable housing that would be required in market housing schemes, as follows:
- Outside Skelmersdale, affordable housing requirements are as follows:
 - Minimum 25% of units on schemes of 8-9 dwellings
 - Minimum 30% of units on schemes of 10-14 dwellings
 - Minimum 35% of units on schemes of 15 and more dwellings.
 - Within Skelmersdale town centre, 10% of units.
 - Elsewhere in Skelmersdale, 20% of units on schemes of 15 and more dwellings, with up to 30% on greenfield sites on the edge of the built up area of Skelmersdale.
 - Within Small Rural Villages, affordable housing should be provided on sites comprising 5 or more dwellings.
- 1.3.17 Policy RS1 also refers to affordable housing in rural areas, stating that within Small Rural Villages (the smallest type of non-Green Belt settlement), affordable housing should be provided on sites comprising 5 or more dwellings, the amount of market housing in such schemes being the minimum amount to make the overall scheme financially viable, and not less than 50% of all housing on site.
- 1.3.18 Policy RS2 advises that the precise requirements for tenure, size and type of affordable housing will be negotiated on a case-by-case basis, and that further details will be set out in this Affordable Housing SPD.
- 1.3.19 Policy GN1 refers to Protected Land. On Protected Land, small-scale (‘small scale’ is defined in the policy as being up to 10 dwellings) 100% affordable housing developments will be permitted, provided that a sequential site search⁷ has been undertaken to demonstrate that there are no other sites within the settlement boundary (or on other Protected Land closer to the settlement centre than the site in question) that could take the proposed development.
- 1.3.20 Policy IF4 states that new development will be expected to contribute to mitigating its impact by means of contributions towards infrastructure. The types of infrastructure that may be required include affordable housing (IF4 (vii)).

⁷ WLLP policy GN5 sets out how a sequential site search is to be undertaken.

- 1.3.21 Amendments to affordable housing policies in the light of revisions to national guidance are set out in Section 2 of this SPD.
- 1.3.22 In terms of specialist housing, policy RS1 requires that on developments of 15 dwellings or more, 20% of the units be designed specifically for the elderly. Policy RS2 states that specialist housing for the elderly will be provided via specific schemes (e.g. Extra Care and Sheltered Accommodation), and through the requirement in policy RS1 that, in schemes of 15 dwellings or more, 20% of new residential units be designed specifically for the elderly.

Sustainability Appraisal

- 1.3.23 In accordance with the *Environmental Assessment of Plans and Programmes Regulations 2004* and the *European Directive 2001/42/EC*, a Screening Report was formulated to determine whether there is a need to undertake a strategic environmental assessment as part of a sustainability appraisal on this Supplementary Planning Document.
- 1.3.24 An SPD does not require a sustainability appraisal to be completed if it relates to a parent document that has already been subject to sustainability appraisal. This is the case for this SPD, given the sustainability appraisal work on housing policies carried out throughout the preparation of the West Lancashire Local Plan 2012-2027, including policies RS1 and RS2.
- 1.3.25 An SA / SEA Screening Determination report was prepared for this SPD, and sent to the relevant statutory consultees (English Heritage, English Nature, and the Environment Agency). The consultees agreed that no SA / SEA of this supplementary planning document is considered necessary.

2.0 Affordable Housing Policies

2.0.1 This section of the SPD sets out West Lancashire Borough Council's policies on the provision of affordable housing. It reinforces and provides an update or more detail on policy RS2 of the West Lancashire Local Plan.

2.1 Quantity of affordable housing

Policy AH1 Affordable Housing Requirements

In line with WLLP policies RS1 and RS2, but reflecting changes to national planning guidance announced in December 2014 with regard to affordable housing thresholds, affordable housing will be required and / or permitted in West Lancashire (subject to other relevant policies) as follows:

Location	Development Size (No. units)	Affordable Housing Contribution
(i) Within Skelmersdale Town Centre (Strategic Development Site)	1-10 dwellings	No contribution
	11+ dwellings	10%
(ii) Elsewhere in Skelmersdale / Up Holland	1-14 dwellings	No contribution
	15+ dwellings	20%
(iii) Greenfield sites on the edge of Skelmersdale / Up Holland	1-14 dwellings	No contribution
	15+ dwellings	Up to 30%
(iv) Key Service Centres, Key Sustainable Villages, Rural Sustainable Villages	1-10 dwellings	No contribution
	11-14 dwellings	30%
	15+ dwellings	35%
(v) Small Rural Villages	1-4 dwellings	No contribution
	5+ dwellings	At least 50%
(vi) Protected Land	1-10 dwellings	100%
(vii) Green Belt	1-4 dwellings	100%
(viii) Green Belt (NPPF paragraph 89 brownfield sites only)	1-10 dwellings	No contribution
	11-14 dwellings	30%
	15+ dwellings	35%

The above percentage contributions of affordable units will be sought by the Council as a minimum. If more affordable housing is offered, this will usually be welcomed. Conversely, if less affordable housing is offered, robust information on viability (and any other relevant matters) will be expected from the applicant to justify the level of affordable housing proposed (see policy AH5).

When considering proposals to redevelop previously developed sites for housing, the Council will take account of the gross floorspace of any buildings on the site at the time the planning application is made which are to be redeveloped or converted as part of the development proposals for the site. This floorspace will be translated into an equivalent number of residential units, and, when calculating affordable housing requirements for the scheme, will be deducted from the total number of proposed dwellings for the site. This provision will not apply to vacant buildings which have been abandoned.

Developers and the Council should collaborate with the aim of ensuring that schemes are deliverable.

If future Housing Needs and / or Housing Viability Studies demonstrate that the above percentage contributions for affordable housing should change, West Lancashire Borough Council policies on affordable housing provision will be amended accordingly.

Justification

- 2.1.1 Policy AH1 is consistent with policies RS1 and RS2 of the adopted West Lancashire Local Plan 2012-27 (WLLP), except in the case of affordable housing thresholds, where policy AH1 reflects the increased national threshold announced by the government in December 2014 and contained in National Planning Policy Guidance (NPPG). The change to the national threshold postdates and overrides the thresholds set out in the WLLP, and thus the thresholds set out in policy AH1 of this SPD supersede those in WLLP policy RS2.
- 2.1.2 The reasons for the changes (or otherwise) to the requirements of WLLP policies RS1 and RS2 are set out below:
- (i) The threshold of 11 units in Skelmersdale Town Centre reflects the new national affordable housing threshold.
 - (ii), (iii) Elsewhere in Skelmersdale and Up Holland, there is no change to the requirements of WLLP policy RS2, as the WLLP threshold of 15 units is above the NPPG threshold.

(iv) In Key Service Centres, Key Sustainable Villages and Rural Sustainable Villages, the WLLP requirement to provide affordable housing on developments of 8-10 units no longer stands, having been superseded by the new national threshold. For developments of 11 dwellings and above, the percentage affordable housing requirements remain the same as in WLLP policy RS2, these requirements being based upon a robust affordable housing viability study that was judged to be sufficiently up-to-date at the WLLP Inquiry in 2013.

(v) There is no change to the requirements of WLLP policies RS1 and RS2 in Small Rural Villages (SRVs). The settlement hierarchy for West Lancashire is set out in WLLP policy SP1. SRVs constitute the lowest tier of the West Lancashire settlement hierarchy. They have few (if any) services, and tend to be in less sustainable locations than settlements further up the hierarchy. Whereas market housing is encouraged in the larger, more sustainable, settlements, it is specifically restricted in SRVs to developments of 4 dwellings or fewer by policy RS1, unless the market housing functions as 'enabling development' to facilitate the delivery of a larger scheme predominantly comprising affordable dwellings. In such schemes, the Council would expect that at least 50% of the overall units provided will be affordable, the number of market dwellings being the minimum to ensure the financial viability of the scheme as a whole (WLLP policy RS1(a)).

This approach towards market and affordable housing in small rural villages is considered consistent with paragraph 54 of the NPPF, which states:

In rural areas ... local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.

The raising of the national threshold to 11 units is not deemed pertinent in this instance, as the policy for SRVs is restrictive in terms of market housing, and only allows for developments of 5 or more dwellings as a limited exception to this restrictive approach, the purpose behind the exception being the provision of much-needed affordable housing in rural areas.

(vi) The policy relating to affordable housing on Protected Land remains unchanged. This is justified on the basis of there being a restrictive policy for development in general on Protected Land, with 100% affordable housing a limited exception to the general restrictions on development.

(vii), (viii) WLLP policy RS1(b) allows for 'very limited' affordable housing in the Green Belt ('very limited' defined as being up to 4 units), provided a sequential site search has been undertaken to demonstrate there are no sites in non-Green Belt areas that could realistically accommodate the proposed development. Housing permitted under this policy may be on greenfield or brownfield sites, and there is no requirement that the new development have no greater impact on openness than whatever was on site previously. WLLP

policy RS1(b) is in accordance with NPPF paragraph 89 (penultimate bullet point), which allows for limited affordable housing for local community needs under policies set out in the Local Plan.

Other than the reference to 'very limited affordable housing' in the Green Belt, the WLLP does not contain any specific policy on development in the Green Belt. Instead, the WLLP defers to national policy. WLLP policy GN1 (Settlement Boundaries) states:

Development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.

The NPPF (paragraph 89, final bullet point) allows for market housing on brownfield sites in the Green Belt, provided it does not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Therefore, on Green Belt sites where redevelopment would have a greater impact on openness, or on greenfield sites in the Green Belt, the only housing that would be permissible would be up to 4 units of 100% affordable housing. On a brownfield site where redevelopment for housing would not have a greater impact on openness, market housing would in theory be permissible, and it would not necessarily be limited to 4 dwellings.

The WLLP policy RS1 provision for 'very limited affordable housing' is a limited exception to a restrictive policy for the Green Belt, and as such, it is not considered necessary to change this policy in the light of the new NPPG threshold.

The WLLP is silent on such matters as the redevelopment of brownfield sites in the Green Belt. However, given:

- (a) there is a demonstrable need for affordable housing across the Borough, especially in rural areas,
- (b) affordable housing contributions have been assessed as being viable (both in the Affordable Housing Viability Study and in the subsequent CIL Economic Viability Report) in all areas of the Borough outside Skelmersdale, and
- (c) the WLLP seeks affordable housing contributions at all levels of the settlement hierarchy,

... it is considered that requiring an affordable housing contribution from market housing-led developments on brownfield sites in the Green Belt is both reasonable and justified, consistent with the policy applied in Rural Sustainable Villages. In requiring an affordable housing contribution, Policy AH1 applies the NPPG threshold, and the percentage requirements for affordable housing are consistent with WLLP policy RS2.

2.1.3 The concept of 'vacant building credit' was introduced via the NPPG in November 2014⁸. When considering proposals to redevelop brownfield sites for housing, local planning authorities (LPAs) will note the gross floorspace of any vacant buildings on the site at the time the planning application was made. (This provision does not apply to vacant buildings which have been abandoned.) The LPA will calculate the affordable housing contributions required from the development, as set out in the WLLP. A 'credit' will then be applied which is the equivalent of the gross floorspace of any non-abandoned vacant buildings demolished or brought back into use as part of the scheme. This 'credit' will be deducted from the overall affordable housing contribution calculation.

2.1.4 West Lancashire Borough Council will use gross internal area as a measure of 'floorspace' when applying vacant building credit, consistent with CIL procedure⁹. The 'vacant building credit floorspace' needs to be converted into a number of housing units in order to calculate revised affordable housing requirements. The Council will use a 'conversion factor' equivalent to the average floorspace of units in the proposed development in question. An example of the use of vacant building credit is provided below:

A site has existing buildings with a total 1,200m² floorspace.
It is in an area where a 35% affordable housing requirement applies.

The site is proposed to be redeveloped by demolishing the buildings and replacing them with 40 dwellings, average floorspace 90m².

Vacant building credit = **1,200m²**;

This translates to 1,200 / 90 units, i.e. **13.3** residential units.

Affordable housing requirement = 35% of (40 – 13.3) = 35% of 26.7
= **9.4 dwellings.**

(Without VBC, the requirement would have been 14 dwellings (35% of 40))

2.1.5 WLLP policy RS2 states that viability will be taken into account when assessing affordable housing percentage requirements in individual schemes. More detail on viability is set out in Section 2.5 of this SPD.

2.1.6 The requirement to provide affordable housing will apply to incremental developments on sites which, cumulatively, would result in the development of a greater number of dwellings than the relevant threshold, on a larger site. An example would be where a large site was divided up into smaller sites and proposals were submitted for 10 dwellings or fewer on a piecemeal basis.

⁸ NPPG References - paragraph ID: 23b-021-20141128 and 23b-022-20141128; <http://planningguidance.planningportal.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/> Further guidance is expected from central government in spring 2015; the draft SPD will be amended as necessary to reflect this guidance once the guidance is published.

⁹ The government statement announcing the introduction of vacant building credit cited one reason for its introduction as being to make the procedure consistent with CIL procedure.

2.2 Tenure and type of affordable housing

Policy AH2 Affordable housing tenure and type

At present, West Lancashire Borough Council operates on the basis that 80% of affordable units provided should be social rented tenure, and the remaining 20% intermediate housing.

Whilst WLBC will usually require, as a starting point for negotiation, that 80% of affordable housing provided should be social rented tenure, the Council may consider the substitution of some social rented units for affordable rented units if it is demonstrated that this would result in an otherwise unviable scheme being made viable.

The following types of housing will count as 'affordable housing' for the purposes of policy AH1:

- Social rented units;
- Affordable rented units;
- Shared ownership units;
- Discounted market units.

Low cost market housing and housing for sale under the 'Help to Buy' programme will not count as 'affordable housing'.

In terms of size of affordable housing, the HNDS sets out the housing need by property size. This evidence, and any more up-to-date and robust evidence, will be taken into account when negotiating affordable housing provision on a site-by-site basis. The developer should liaise with the Council's Housing Strategy and Development Programme Manager to ascertain the most appropriate size (and tenure) of affordable units to satisfy local needs relating to the scheme in question.

Justification

2.2.1 This tenure mix currently advocated by the Council stems from the findings of the HNDS, and reflects the evidence base available to the Council. The table below shows the gross Borough-wide need for affordable housing, by tenure.

Gross need by social rent / intermediate housing requirements		
Equity-based intermediate	Intermediate rented	Social rented
3%	9%	88%

Source: West Lancashire HNDS Table 6.17 (p69)

2.2.2 If updated evidence demonstrates that a different tenure mix is more appropriate, the Council will take this into consideration in its decision making and future policies.

2.2.3 In 2011, the 'affordable rent' tenure was introduced. Affordable rent has been designed to give Registered Providers scope to increase rents on new lettings, at up to 80% of market rents in the area (in comparison, social rents are typically 40-50% of market rents). This ability to increase rents allows Registered Providers to borrow more and raise additional finance to fund their development activities. This is necessary because of reductions in affordable housing government grant funding.

2.2.4 The affordable rent tenure can positively affect the viability of housing developments in situations where viability is marginal, as it changes the amount that Registered Providers are able to pay the developer for the affordable elements of the scheme. However, affordable rented tenure properties are not as effective as social rented tenure properties at meeting affordable housing needs. In order to aid the viability of a scheme that would otherwise be unviable, the Council may consider the substitution of some social rented units for affordable rented units, balancing the above two factors. Viability is discussed further in Section 2.5 below.

2.2.5 West Lancashire Borough Council will consider the following types of housing to count as 'affordable housing' for the purposes of WLLP policy RS2:

- **Units for Social Rent**

These units are normally managed by a Registered Provider (RP) and will provide 100% nomination rights to the Council on the first letting and subsequent lettings, unless otherwise agreed.

- **Units for Affordable Rent**

Units for affordable rent are normally managed by an RP and will provide 100% nomination rights to the Council on the first and

subsequent lettings. Rents are set at up to 80% of the market rental value in the locality.

In West Lancashire, applicants for social rented and affordable rented tenure properties are required to register their details via an online application process, West Lancs HomeFinder¹⁰. Once approved, applicants are then able to bid on properties. Those with higher priority needs will be banded in a higher category and therefore given priority in the bidding process.

- **Shared Ownership Units**

A shared ownership property is owned partly by an RP, with rent being payable to the RP for their percentage of the property value, whilst the remaining proportion of the property is owned by the occupier. The occupier's share is usually purchased through private finance, for example by means of a mortgage arranged with a bank or building society.

Shares may start as low as 25%, with the purchaser being able to buy further shares when they are able. This is known as 'staircasing'. Most new schemes will allow staircasing to 100% (i.e. the occupant buys / owns the whole property).

In order for shared ownership units to be affordable in perpetuity, it is necessary for there to be mechanisms in place to ensure that the subsidy is recycled for alternative affordable housing provision.

- **Discounted Market Units**

This tenure involves offering housing for sale at a discount from the full market value of the property. The discount is set as a percentage of the full market value, i.e. 35% of the market value (the buyer thus pays 65% of the full market value). The resale price should be maintained at a discounted level for subsequent re-sales through an appropriate legal agreement, in order to retain the availability of lower-cost properties for sale in perpetuity.

Alternatively, when the property is resold, the same 'discount percentage' of the full market value of the property at the time of resale would be paid to the Council, to use in provision of affordable housing by other means and / or related enabling activity. This approach (the 'discount sale model') is set out in more detail in Appendix A to this SPD.

Discounted market units should be affordable in the context of house prices generally in the local area (settlement / parish), not just in the

¹⁰ See <https://www.westlancshomefinder.co.uk/Data/ASPPages/1/30.aspx>

context of the particular site. Owing to high house prices across most of West Lancashire, it is unlikely that this option would provide genuinely affordable housing to those on lower incomes without a 35% discount (from the market price. Occupants of such housing are selected in order of eligibility against a set of criteria set out in the advertised details for the property in question. The applicant at the top of the list will normally be offered the property.

- 2.2.6 As per the definition of affordable housing in the NPPF, 'low cost' market housing will not be considered as affordable housing for the purposes of WLLP policy RS2 nor for this SPD.
- 2.2.7 Similarly, housing for sale under the current 'Help to Buy' programme does not qualify as affordable housing for the purposes of WLLP policy RS2 nor for this SPD.

Self Build Housing

- 2.2.8 Self build housing, also known as 'custom build housing', comprises housing built or commissioned by individuals, or by groups of individuals, for their own occupation. There is no single, tightly-defined model for self build housing, but rather a wide range of ways by which self build housing can be delivered.
- 2.2.9 Self build housing does not usually qualify as affordable housing; rather, it would generally be considered to be market housing. Only self-build properties that satisfy the NPPF / WLLP definition of affordable housing (p2 above) will count as affordable for the purposes of policy RS2¹¹.
- 2.2.10 Self-build schemes above the affordable housing thresholds in policy AH1 above would normally be required to provide the defined amount of affordable housing unless it is demonstrated that such provision would undermine the viability of the development. Viability is discussed in Section 2.5 below.

¹¹ For example, the properties would need to be rented from a Registered Provider.

2.3 Specialist Housing for the Elderly

Policy AH3 Specialist Housing for the Elderly

Policy RS1(e) of the West Lancashire Local Plan (WLLP) requires that 20% of units within residential developments of 15 dwellings or more should be designed specifically to accommodate the elderly.

The following types of housing can constitute specialist housing for the elderly:

- Mainstream homes;
- Specialised homes;
- Extra care housing;
- Care homes.

The requirement to provide housing for the elderly (WLLP policy RS1(e)) is independent of the requirement to provide affordable dwellings (WLLP policy RS2). However, where appropriate, the two requirements may overlap to an extent, i.e. some units may be both affordable and designed for the elderly.

The policy RS1(e) requirement for elderly accommodation will apply to 100% affordable housing developments of 15 units or more.

Justification

2.3.1 WLLP policy RS1¹² provides the background to, and justification for, the requirement to provide specialist housing for the elderly.

2.3.2 As explained in paragraph 1.1.4 above, specialist housing for the elderly (or 'accommodation designed specifically for the elderly', as referred to in WLLP policy RS1) is not tightly defined, in order to give flexibility to those providing the accommodation. Specialist housing / accommodation for the elderly could be in Use Class C2 or C3, although it is expected that it will usually be Class C3. Where possible and / or appropriate, specialist housing for the elderly should be consistent with the HAPPI principles (see 1.1.5).

2.3.3 Specialist housing for the elderly may take (but is not limited to) the following forms:

- **Mainstream Homes**

These comprise individual homes for purchase or rent, and could take the form of bungalows, flats, or houses. They cannot be designated for any specific user group (e.g. there is no age restriction on their purchasers), but such homes are likely to contain specific features for elderly

¹² See paragraphs 7.13-7.18 of the WLLP (pages 95-96).

occupants. Personal care, support, other services and amenities are not specifically made available as part of such housing.

- **Specialised Homes**

These are groups of homes (usually flats) to buy or rent – designated for older people (typically 55+). Personal care and support may be arranged or provided within the development together with shared facilities and activities. This category of accommodation could also include housing for elderly people with special needs. Whether these properties fall within Use Class C2 (Residential Institutions) or C3 (Dwelling Houses) depends on the level of care provided for individual dwellings, and their degree of self-containment.

- **Extra Care Housing**

For the purpose of this SPD, extra care housing is defined as purpose-built accommodation, usually for frailer, older people, in which varying levels of care and support can be offered on site, and where some services are, or can be, shared between properties. People who live in extra care housing have their own self-contained homes, their own front doors and a legal right to occupy the property. Extra care housing may also be known as very sheltered housing or assisted living. It can come in many built forms, including blocks of flats, bungalow estates and retirement villages. Extra care housing is often popular amongst the elderly, as it is an alternative to care homes. Whether this type of accommodation falls within Use Class C2 or C3 depends on the extent of care provided for individual dwellings and their degree of self-containment. It is possible for an extra care development to comprise both C2 and C3 units.

2.3.4 Whilst Care Homes (Class C2) provide residential care for the elderly, this tends to be in the form of non-self-contained units. Such accommodation would count towards the 20% elderly housing requirement if it can be demonstrated that the units are self-contained¹³ and provide independent living.

2.3.5 It is noted that WLLP policies RS1(e) and RS2¹⁴ place an expectation on developers to build all new homes to the Lifetime Homes standard. Thus, all new homes should be readily adaptable to accommodate older people.

2.3.6 Any Class C2 accommodation that counts towards the 20% specialist housing requirement will also count towards the Borough's general housing supply where the provision of the accommodation results in its occupants being able to release their current property back into the general housing market and thus "free up" housing supply.

¹³ A property is considered self-contained where all the rooms (including kitchen, bathroom and toilet) are behind a single door which only that household can use.

¹⁴ See WLLP policy RS1(e), paras. 7.16-18, and policy RS2 (bullet points after seventh paragraph)

Relationship between affordable and specialist elderly accommodation

2.3.7 The requirement to provide specialist housing for the elderly (WLLP policy RS1; 20% of units) is independent of the requirement to provide affordable dwellings (WLLP policy RS2; typically up to 35% of units), although the two types of residential unit can overlap to an extent, i.e. some of the affordable units may be designed for the elderly (see example below). The extent of overlap between the two requirements will vary from scheme to scheme, and will usually depend on the nature of the affordable housing need in an area, e.g. the age profile of those in need of affordable housing.

Overlap between affordable and elderly housing requirements

For a scheme of 80 dwellings,

- Affordable housing requirement = $0.35 \times 80 = 28$ dwellings
- Elderly housing requirement = $0.2 \times 80 = 16$ dwellings

If the affordable and elderly units were to be mutually exclusive, total affordable and / or specialist units = $28 + 16 = 44$ units (**55% of total site**)

The local housing need is such that 7 of the affordable units should be for older people. The breakdown of the affordable / elderly units becomes:

- 21 affordable units for non-elderly persons
- 7 affordable units for elderly persons
- 9 market units for elderly persons

Total affordable and / or specialist units = $21 + 7 + 9 = 37$ units (**46% of site**)

2.3.8 Prior to a planning application being submitted, the applicant is encouraged to liaise with the Council's Housing Strategy and Development Programme Manager, who can advise as to the nature of affordable housing needs in a particular area¹⁵, and *inter alia* to what extent the affordable and specialist housing requirements may overlap. The applicant will be expected to provide a brief statement justifying their proposed levels of affordable and elderly accommodation, and how these contribute towards meeting local needs.

2.3.9 Section 2.5 of this SPD deals with viability. The WLLP makes clear that if the provision of accommodation designed for the elderly has a negative impact upon viability, this will be taken into account when assessing affordable housing and / or other policy requirements for the proposed development.

¹⁵ Information on affordable housing needs at Parish and Ward level is provided on the Council's website at:

<http://www.westlancs.gov.uk/housing/affordable-housing/housing-surveys-and-research/parish-ward-housing-need.aspx>

2.3.10 For clarity, the WLLP policy RS1 requirement that 20% of units in schemes of 15 or more units be designed specifically to accommodate the elderly will also apply to 100% affordable housing schemes of 15 or more units. If it is proposed that less than 20% of the units be designed for the elderly, the Council would expect justification to be provided, e.g. lower proposed provision based on the nature / demographics of affordable housing need in the area.

2.4 On / Off-site Provision

Policy AH4 Off-site provision of affordable housing

Exceptionally, and where it is robustly justified, off-site provision of affordable housing may be considered as an alternative to on-site provision, where a site(s) has been identified and secured for the delivery of the required affordable housing to the satisfaction of the Council.

Delivery of such a site(s) should be programmed alongside the delivery of the main site through a Section 106 agreement and the number of units of affordable housing required should be derived from the relevant proportion from the policy above of the total number of units on the combined sites.

In such circumstances, off-site provision should be provided in the locality, i.e. within the same (or, exceptionally, an adjacent) parish as the development site, or within the same settlement in non-parished areas.

Justification

- 2.4.1 Policy AH5 originates from paragraph 7.30 of the WLLP, which sets out the Borough Council's approach to off-site provision.
- 2.4.2 Paragraph 50 of the NPPF states that where local authorities have identified that affordable housing is needed, they should set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. It is the view of WLBC that NPPF paragraph 50 does not *require* local authorities to set policies allowing for a financial contribution to be provided in lieu of physical dwellings, but *allows* them to set such policies, should they wish to do so. The Inspector carrying out the WLLP examination in 2013 agreed with the Council's interpretation of NPPF paragraph 50.
- 2.4.3 WLBC consider that affordable housing should be provided on site wherever possible, that affordable housing should only be provided off-site in exceptional circumstances and where robustly justified, and that commuted sums in lieu of affordable housing provision are not acceptable.
- 2.4.4 Under policy AH5, if, for example, a development of 20 houses were proposed on a site in Ormskirk, the policy would require 7 of the 20 dwellings (35%) to be affordable. If the developer demonstrated to the Council's satisfaction that this affordable housing contribution could not be provided on-site, then they would be required to secure a site in the local area suitable for

the affordable element of the scheme. If 20 market dwellings were provided on the 'original' site, then the number of affordable dwellings on the additional site would need to be sufficient to constitute 35% of the combined scheme.

2.4.5 The formula below shows how to calculate the number of off-site affordable housing units:

$$\text{No. off-site AH units} = \text{No. on-site market units} \times \frac{\text{Required AH \%}}{(100 - \text{Required AH \%})}$$

... where AH % = percentage affordable housing required by WLLP policy RS2 or policy AH1 of this SPD.

So, in the above example, the number of affordable units required would be

$$20 \times (35 / 65) = 20 \times 0.54 = 11 \text{ affordable units}$$

2.4.6 As the above example shows, the permitting of off-site affordable housing should result in more affordable units being provided overall¹⁶. Whilst, as with any planning application for residential development, the Council will have regard to viability considerations, the applicant will be expected to provide very robust justification if the overall percentage of affordable housing proposed on the two sites were to be less than what could be achieved in normal circumstances (i.e. if it had actually been possible to provide affordable housing) on the 'original' site.

2.4.7 'The locality' (as stated in policy AH5) means the same parish (or exceptionally an adjacent parish), or the same settlement. The Council would normally only consider an adjacent parish if the 'original' site in question were close to the boundary of a particular parish. In such circumstances, the 'additional' site should be as close as is realistically possible (within the restrictions of adopted planning policy¹⁷) to the original site. In non-parished areas (i.e. Ormskirk and Skelmersdale), the 'additional' site should be not just within the same settlement, but also within a similar character area as the 'original' site. For example, the Council would be unlikely to support market housing in the most affluent part of the settlement, with the associated off-site affordable housing being proposed in one of the least affluent parts of the settlement.

¹⁶ In the example given, the single site scheme would, in normal circumstances have 13 market and 7 affordable dwellings (total 20). The two-site scheme would have 20 market and 11 affordable dwellings.

If the two sites (20 units and 11 units) were to be developed separately in compliance with the policy RS2 requirements, the overall number of market houses would be 21 (13 plus 8) and the number of affordable units would be 10 (7 plus 3) as there would be a 30% requirement on the 11 unit site, rather than the 35% requirement applied to the combined sites.

¹⁷ For example, it would not be expected that the 'additional' site would be located within the Green Belt.

2.4.8 The aim of the requirement for the off-site provision to be situated 'in the locality' (and the aim of the usual policy RS2 approach for affordable housing to be provided on-site, rather than off-site) is to create sustainable mixed and balanced communities by discouraging the segregation of affordable housing and market housing.

2.4.9 WLLP policy RS2 does not allow for a financial contribution as a substitute for provision of actual affordable units. The primary reason for the Council's stance on this matter is that receipt of a commuted sum means the Council would need to take on the risks associated with finding a suitable site, obtaining planning permission, and delivering the affordable units. Any unforeseen problems could result in fewer affordable housing units being delivered. It is the view of the Council that such risks should remain with the developer behind the original market housing-led scheme, and that it be guaranteed that the required number of affordable units are provided rather than the risk being transferred to the Council.

2.5 Viability considerations

Policy AH5 Viability of development

Where an applicant / developer proposes not to meet in full the requirements of policies of the West Lancashire Local Plan (WLLP) with regard to affordable housing, elderly housing, and other developer contributions, they will be required to submit a viability assessment setting out how the WLLP policy requirements would render the development unviable, and demonstrating how the proposed scheme best contributes towards meeting policy requirements viably.

The Council will have regard to evidence submitted by the applicant and will consider whether any flexibility in planning obligations is justified. If an independent assessment of viability evidence is required, the Council will require the applicant to pay for the cost of the assessment.

For large schemes, the Council will require a phasing plan. In order to take account of changing market conditions, levels of affordable and specialist housing provision will be agreed on a phase by phase basis.

Justification

- 2.5.1 Viability is a key consideration when assessing residential (and other) development schemes. Paragraph 173 of the NPPF states:

To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer

- 2.5.2 National Planning Practice Guidance (NPPG) contains a number of paragraphs on viability. In terms of decision-making, NPPG states:

In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability.¹⁸

¹⁸ NPPG Paragraph 019 Reference ID: 10-019-20140306

- 2.5.3 The affordable housing requirements set out in Policy RS2 were derived taking into account the findings and recommendations of a comprehensive and robust Affordable Housing Viability Study¹⁹ which concluded that a 35% affordable housing target could viably be applied to sites with as few as six dwellings. The evidence base behind the WLLP (including policies RS1, RS2 and IF4) was found sound at the Local Plan Examination in 2013.
- 2.5.4 More recently, the Council commissioned a viability study to inform its plans for adoption of a Community Infrastructure Levy (CIL) charging schedule. The resulting CIL Economic Viability Report²⁰ examined the viability (or otherwise) of a CIL charge on residential development schemes on brownfield and greenfield sites in various parts of West Lancashire. The final report (August 2013) concluded that a CIL charge would be justifiable in most locations in the Borough, taking into account the cost implications of the suite of WLLP policy requirements related to residential development. This evidence was accepted at the CIL Examination in early 2014.
- 2.5.5 Notwithstanding the findings of the AHVS and CIL Economic Viability Report, the Council does recognise that its policies have financial implications for developers (e.g. affordable housing, Lifetime Homes, open space, transport contributions), and that in individual cases, the cumulative impact of the WLLP policy requirements, coupled with the individual circumstances of a particular site (for example a site with significant abnormal costs, or a site in a weaker housing market area) may render a proposed development unviable.
- 2.5.6 For this reason, there is scope built into WLLP policies for viability to be taken into account. For example, WLLP paragraph 7.15 (Policy RS1 justification) advises that if the provision of specialist housing for the elderly would have a material negative impact upon viability, this can be taken into account when assessing affordable housing and / or other policy requirements²¹. On the same subject, paragraph 7.35 (Policy RS2 justification) adds that if a scheme is unable to meet the elderly accommodation and affordable housing requirements viably, consideration should be given on a case-by-case basis

¹⁹ Affordable Housing Viability Study, November 2010, Fordham Research:
<http://www.westlancs.gov.uk/media/85124/AFFORDABLE-HOUSING-VIABILITY-STUDY-NOV-2010-OPTI.pdf>

²⁰ The CIL Economic Viability Report is available on the Council website by following links from:
<http://www.westlancs.gov.uk/planning/planning-policy/community-infrastructure-levy/examination/submission-evidence-document.aspx>

²¹ Notwithstanding the above, it is anticipated that, given the increasing number / proportion of elderly persons in the Borough, demand for accommodation for the elderly should increase markedly, and such properties should be popular and achieve healthy sales prices, meaning that impact on viability should not be significant. Indeed, developers may provide such accommodation in future, even without a policy requirement to do so. On a related issue, government research has shown that homes with higher energy efficiency standards are selling at higher prices, indicating that in future, costs associated with the implementation of energy efficiency measures will be recouped by the developer, thereby removing any negative impact upon viability. See:
<https://www.gov.uk/government/news/energy-saving-measures-boost-house-prices> .
The same could be argued about Lifetime Home features.

to whether the affordable housing requirement, specialist housing requirement, or both requirements, should be reduced in order to achieve a viable scheme.

2.5.7 Similarly, and more generally, WLLP policy IF4 states:

Where a development is made unviable by the requirements of a planning obligation, the Council will have regard to appropriate evidence submitted by an applicant and consider whether any flexibility in the planning obligation is justified.

2.5.8 Some requirements are non-negotiable (e.g. CIL, or Building Regulations). However, there are various 'policy-related adjustments' that can be made to proposed schemes to improve viability, for example:

- Reduce the affordable housing percentage requirement;
- Amend the tenure mix of affordable dwellings (e.g. substitute a proportion of the social rented units with affordable rented units);
- Introduce an element of discount sale housing;
- Reduce the elderly housing requirement;
- Waive the policy expectation to meet Lifetime Homes standards;
- Combine parts of the affordable and elderly housing requirement;
- Relax other policy requirements (for example to do with climate change or public open space).

2.5.9 The Council will treat each application on its individual merits. There is no simple formula or 'hierarchy of viability' that can be set out, to be applied to every residential scheme. Solutions to improve viability in some situations may not be appropriate in other situations. For example, in one location, it may be most appropriate to meet the policy RS2 / AH1 percentage in full and to adjust the tenure mix to include affordable rented properties, whereas in another location, the most appropriate solution may be to keep the affordable units as predominantly social rented tenure, but to reduce the overall percentage of affordable housing below the policy RS2/AH1 requirement.

2.5.10 Pre-application discussions with the Council are recommended and encouraged. If achieving a viable development is likely to be an issue, such discussions can provide a steer on the most acceptable way of facilitating the viability of a proposed development.

2.5.11 NPPG advises that where the deliverability of development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary.

2.5.12 In line with the above guidance, WLLP policy RS2 and policy AH5 above recognise that there may be occasions where it may not be viable to provide the specified percentages of affordable or specialist housing. In such cases, the policies require the developer to submit an 'open book' viability

assessment to the Council demonstrating on what basis such a scheme would be unviable and the assumptions made in relation to build costs and capital receipt for the proposed housing. **Appendix B** sets out the type of information that the Council would expect in a viability assessment. WLLP policy RS2 allows for such viability assessments to be independently verified by the Council, and / or on the Council's behalf, with the cost of the verification being met by the applicant.

Phasing of affordable housing

2.5.13 NPPF paragraph 174 requires that policies facilitate development through the economic cycle. NPPG adds clarification, advising that whilst viability assessments should be based on current costs and values, where a scheme requires phased delivery over the medium and longer term, changes in the value of development and changes in costs of delivery may be considered²².

2.5.14 The viability of providing affordable units may change significantly over time, for better or for worse. For example, unforeseen costs may arise (e.g. associated with land stability or contamination) meaning that development is less viable than originally judged. Conversely, the housing market may pick up, meaning that it would be viable to provide more affordable housing than the amount originally agreed (e.g. this would be expected to be the case for schemes where affordable housing contributions agreed during the time of the 'credit crunch' and subsequent recession c 2008-11, but where the housing units were delivered in 2013 onwards). It is also recognised that the timescales within the development programme for the delivery / handover of the affordable units can influence the viability of a scheme. These matters will be taken into account when assessing the details of a scheme's phasing, and when negotiating planning obligations.

2.5.15 For large schemes that are to be delivered in phases, the Council will require a phasing plan. Levels of affordable and specialist housing provision will be agreed on a phase by phase basis, allowing for changing market conditions to be taken into account at each stage of the development.

2.5.16 Furthermore, in cases where a scheme is not found sufficiently viable to accommodate some or all of the affordable and specialist housing requirement at the time of determining the planning application, the Council may require additional viability assessments by legal agreement, should the development not be implemented within a reasonable timescale (normally 2 years), as viability changes over time.

²² NPPG Paragraph 017 Reference ID: 10-017-20140306

2.6 Involvement of a Registered Provider

- 2.6.1 The Council has a preference for Registered Providers to be involved in the delivery of affordable housing units, as this provides greater certainty that the affordable housing will be delivered, and that it will be managed well. Affordable housing should be secured for the long-term and should have a clear governance regime agreed with the Homes and Communities Agency.
- 2.6.2 As early as possible in the process, in order to understand acquisition values, the developer is advised to negotiate with a Registered Provider registered with the Homes and Communities Agency.

2.7 Occupancy Control

- 2.7.1 In line with the National Planning Policy Framework, the Council will ensure that affordable housing provision in a development will include provisions to ensure it remains affordable for future households in affordable housing need.
- 2.7.2 Such requirements will be included in the Section 106 Agreement and will apply across all affordable housing tenure types. Examples of such requirements are:
- The Borough Council reserving the right to approve / nominate households to the affordable housing;
 - Households having the required local connection as defined in the Borough Council's Housing Allocation Policy;
 - Households meeting any specific affordability criteria;
 - Any other relevant and appropriate occupancy controls related to the affordable housing.

2.8 Affordable Housing and CIL

- 2.8.1 Mandatory relief from the Community Infrastructure Levy may be claimed for social housing, subject to the following conditions:

The individual or organisation claiming social housing relief must:

- have assumed liability to pay CIL through submission of an Assumption of Liability Form, prior to commencement;
- be an owner of the relevant land;
- submit a claim for social housing relief on a Claiming Exemption or Relief Form, prior to commencement;
- include a relief assessment that identifies on a plan the location of the dwellings to which social housing relief applies, sets out the gross

internal area of each of those dwellings, and includes a calculation of the chargeable amount; and

- supply evidence that the chargeable development qualifies for social housing relief (by reference to the conditions in CIL Regulation 49 / 49c).

2.8.2 The provisions above are derived from the CIL Regulations 2010 (as amended)²³. Residential development within the majority of West Lancashire (see p7 / paragraph 1.3.9 and the map showing Zones A and B) will be liable to receive a CIL charge. Social housing, whether it be a 100% affordable housing scheme, or the affordable housing element within a mixed residential scheme, falls under the umbrella of residential development and, as such, is liable to receive a CIL charge.

2.8.3 However, social housing is eligible for mandatory relief from CIL. CIL Regulation 49A covers social housing relief and sets out the condition(s) a property must satisfy in order to qualify as social housing. Whilst these conditions are very similar to the NPPF definition of affordable housing (paragraph 1.1.1 above), developers should consult the CIL Regulations to verify that the housing product they offer qualifies as social housing for the purposes of CIL relief. Regulation 49C sets out the requirements for social housing communal development.

2.8.4 Social housing relief (SHR) is not applied automatically; claims for relief must be submitted to, and determined by, the Council before the development commences, subject to the policy AH6 conditions being met. The *Assumption of Liability Form* and the *Claiming Exemption or Relief Form* are available on the government's Planning Portal website^{24,25}. Links to the Portal are provided from www.westlancs.gov.uk/CIL.

2.8.5 Claims for SHR will lapse if the development commences before the Council has notified the claimant of its decision on relief. In addition, the development will also cease to be eligible for SHR if:

- "Form 6": *Commencement Notice*²⁶ is not submitted to the Council prior to commencement, or
- the claimant's assumption of liability is withdrawn or ceases to have effect, or
- the claimant transfers liability to another person.

2.8.6 Developers should refer to the Council website²⁷, for a more in-depth summary of the relevant provisions and requirements.

²³ See <http://www.legislation.gov.uk/all?title=community%20infrastructure>

²⁴ The Assumption of Liability form is referred to as "Form 1" and is available at:

http://www.planningportal.gov.uk/uploads/1app/forms/form_1_assumption_of_liability.pdf

²⁵ The Claiming Exemption or Relief form is referred to as "Form 2" and is available at:

http://www.planningportal.gov.uk/uploads/1app/forms/form_2_claiming_exemption_and_or_relief.pdf

²⁶ For Form 6 – Commencement Notice, see:

http://www.planningportal.gov.uk/uploads/1app/forms/form_6_commencement_notice.pdf

2.9 Planning conditions and S106 agreements

2.9.1 A Section 106 agreement is a legal agreement between the developer / landowner and the local planning authority, made under Section 106 of the Town and Country Planning Act 1990 (as amended). It is the means by which the local planning authority controls the affordable / specialist function of the dwellings provided, either on a 100% affordable site, or where the affordable / specialist housing is provided within a market-housing led scheme.

2.9.2 The Section 106 agreement will normally cover (but is not limited to) the following points:

- A description of the affordable/specialist units and the property type and tenure mix if appropriate;
- The location of affordable housing provision within the site;
- The phasing of on-site affordable housing provision within the overall scheme to ensure that affordable housing units are developed at an agreed rate in relation to the market housing;
- A property marketing mechanism in respect of the affordable units;
- Arrangements for the involvement of Registered Providers or any other appropriate agency;
- 'Mortgagee clauses' to define the conditions attached to the affordable housing, should the mortgagee exercise their power of sale;
- Occupancy controls;
- Local connection requirements;
- Any Council nomination rights in respect of rented units / units for sale; and:
- A mechanism to assess or change the scope of the S106 Agreement.

2.9.3 Applicants are advised to provide a draft Section 106 agreement with their planning applications, based on the template available on the Council's website, to ensure that their application can be dealt with as speedily as possible. Any significant changes to the Council's template will delay determination of the application and may not necessarily be agreed.

2.9.4 Applicants will need to make sure that they are familiar with the CIL and Section 106 requirements; these sit alongside each other, but have different approaches and regulations. Section 106 agreements are finalised pre-decision, whereas CIL is dealt with post-decision. As a general process, an applicant would need to finalise the Section 106 agreement, receive planning approval, then assume liability for CIL, apply for relief from CIL, receive a decision on relief, and then submit a commencement notice before starting any work on site.

²⁷ <http://www.westlincs.gov.uk/planning/planning-policy/community-infrastructure-levy/relief-and-exemptions-from-cil/social-housing-relief.aspx>

Appendix A Discount Sale Model

The 'Discount Sale Model' is an approach that will, over time, provide funds that can be used for affordable housing development and / or affordable housing enabling purposes, although it is not a commuted sum approach in itself (commuted sums are not allowed for by WLLP policy RS2). This model is attractive to developers and also provides affordable housing to buy.

The approach is straightforward in that the Council will negotiate affordable housing on a given site. This may include rental products but can also include the provision of property to be sold at a discount to open market value. The homes would be sold to those households who can demonstrate that they cannot afford to buy on the open market.

The purchaser would buy 100% equity of the property but at a price which equates to a discount from open market value. After discount, the affordable housing price is based on a predetermined multiplier (3.5 times the average salary for the area).

A typical example would involve a property being sold at 65% sale price with 35% equity in favour of the local authority. The equity would be secured by way of a second charge. The legal fees and second charge are registered by the developer and there is no cost to the council.

The equity (35%) is released in favour of the Council when the owners (who were granted the discount) sell and move on. The initial equity stake can go up or down in value dependant on the housing market at the time.

This equity approach model means that any funds the Council receives are not time limited as might be the case for commuted sum receipts, although the Council fund only grows when properties are sold.

The most common type of units that this product would be used for is apartments and two bed houses. Using the approach on smaller units helps first time buyers to get on to the housing ladder and then enables them to move on when they require larger housing as their household size grows. Applying the model on larger dwellings may not encourage subsequent moves to occur.

Appendix B

Viability Assessment Checklist

Where a viability assessment is required to justify the provision of a lesser percentage of affordable housing than specified by policy AH1 of this SPD, the Borough Council would expect the appraisal to include the following information:

Proposed development

Description of proposed scheme: site area, numbers / type of dwellings, floorspace / number of bedrooms, number / tenure of affordable units.

Development Values

Market values of units for sale (price per m² floorspace; price per whole unit); total revenue for whole site.

Sale of affordable housing units (i.e. the amount the Registered Provider are to pay for the units).

Service charges / ground rents / leases.

Development Costs

Site acquisition costs – including legal / agents' fees, stamp duty, any costs associated with covenants / ransom strips, etc.

Services / site preparation / roads / other infrastructure.

Build costs of residential units; source(s) of build costs.

Abnormal costs.

Costs associated with planning obligations – open space, commuted sums, etc.
(a) for the proposed development, and
(b) as required by policy (AH1, etc.).

Community Infrastructure Levy.

Professional fees.

Cost of finance – timescales and interest rate(s).

Contingencies (amount of percentage).

Cost of sales / letting, marketing, legal / agents' fees.

Developer's profit / margin (amount or percentage).

Appendix B

Affordable Housing Supplementary Planning Document

Consultation Statement

Under Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, West Lancashire Borough Council consulted the following bodies on the scope of the proposed Affordable Housing SPD:

- Statutory Consultees (“Specific Consultation Bodies” as defined by Regulation 2 of the above Regulations);
- Locally active housebuilders and Registered Providers (including members of the joint West Lancashire, Sefton and Knowsley Housing Market Partnership);
- Locally active planning agents.

The table on the following pages records which parties made representations on the scope of the SPD, the issues raised by the said parties, and the Council’s response in terms of how these issues have been addressed in the draft SPD.

Summary of comments made on Reg 12(a) consultation on Affordable Housing SPD

February 2015

Ref	Representor	Summary of comments	Council response
01	Highways Agency	<p>General comments re impact of housing development on the strategic road network that:</p> <ul style="list-style-type: none"> • The Agency will continue to review any new planning applications for housing based on the current arrangements with regard to <i>DfT Circular 02/2013</i> & <i>NPPF</i> as well as the published guidance on transport evidence basis in plan making. • Developments of above 50 units should be accompanied by a Transport Statement / Assessment that considers the traffic impact upon the strategic road network; impact should be 'nil-detriment' when complete. Would encourage applicants to consider sustainability and reduce the need for vehicle trips. • Re. CIL: should development require alterations to the strategic road network, the cost of such alterations should be funded directly by the proposer via S278 Agreement (Highways Act 1980); having first consulted / scoped with the Agency. (S) 	<p>With regard to the three bullet points:</p> <ul style="list-style-type: none"> • Comments noted. • Noted. This requirement is better placed in a more general SPD (or in the Local Plan itself) rather than in any policy about affordable housing. • Noted. This requirement is outside the scope of this SPD.
02	Sefton MBC	No comments at this stage; would be interested to see the document as it progresses towards adoption.	Noted. Sefton MBC will be consulted (as a Statutory Consultee) on the draft SPD following its intended approval for consultation by Cabinet.
03	The Coal Authority	No comments	-
04	English Heritage	No comments	-
05	Newburgh Parish Council	No comments	-
06	Marine Management Organisation	No comments	-
07	Wrightington Parish Council	Wrightington Parish Council would like the policies contained within this document to ensure that affordable home provision is only allowed on sites which can sustain the development by the provision of adequate amenities and facilities to meet the needs of the development.	The general development strategy of the 'parent' West Lancashire Local Plan (WLLP) (policy SP1) seeks to direct development to the most sustainable locations, where infrastructure, services and facilities are in place, or can easily be put in place.
08	Aughton Residents Group	Aughton Residents Group have always acknowledged the professionalism and expertise of the Senior Planning Officers in the Borough and therefore would not consider questioning their determination of the nature and volume of affordable and specialist housing needs of the Borough. There are however serious concerns that the officers recommendations and the	<p>With regard to the three summary points:</p> <p>1. The SPD must comply with "higher" / "parent" policies, in this case WLLP policy RS2, which states that affordable housing requirements must be met, but that viability will be taken into account when</p>

Ref	Representor	Summary of comments	Council response
		<p>real needs of the community are often disregarded in the face of party politics and political expediency.</p> <p>The development of the Local Plan identified the need for approximately 4,500 additional dwellings to meet the long term needs of the community. Councillors, when faced with challenges to the use of Agricultural Green Belt Land, were absolutely adamant that housing was needed for the next generation of local young families and for those unable to purchase quality housing at an affordable price. That being the case it is imperative that all developments are legally bound to deliver the requisite percentage of affordable housing on the actual site that the main development takes place. If young and/or less wealthy families in Aughton need affordable housing then they should be provided within developments in Aughton. Developers must not be allowed to offset the affordable housing requirements to other locations outside of Aughton. Why should members of our community be forced to live outside the area purely because Borough Councillors place greater weight on the financial rewards of allowing developers to avoid their affordable housing obligation, than on local people being able to live within their own community.</p> <p>In summary:</p> <ol style="list-style-type: none"> 1. The SPD is unequivocal in the requirement for developers to deliver the requisite level of affordable housing. 2. The SPD ensures that the Affordable Housing requirements are met within the actual development and not allowed to be offset or avoided. 3. Planning Permission is not granted for any proposed development that does not deliver on the affordable housing requirements. 	<p>assessing individual schemes. This is in line with national policy. (It is unlikely WLLP policy RS2 would have been found sound at examination if it did not include such a reference to viability.) The SPD cannot be more unequivocal than WLLP policy RS2.</p> <p>2. Similar to the above, the justification to WLLP policy RS2 explains that affordable housing should be provided on the development site, but it allows off-site provision as an exception, where robustly justified. The WLLP does not allow for affordable housing to be "offset" (i.e. it does not allow for commuted sums in lieu of affordable housing) or avoided.</p> <p>3. As per (1) above, WLLP policy RS2 allows for viability to be taken into account. In certain cases, where robustly justified by evidence, this may result in some developments not meeting the percentage requirements set out in policy RS2. The SPD must conform to this policy approach.</p>
09	Natural England	No comments	-
10	Lancashire County Council	No comments	-
11	Halsall Parish Council	<p>Halsall Parish Council asks that consideration be given to use brown belt areas in preference to green belt areas and that any affordable housing built affords the residents reasonable room and incorporates drives and garden space with access of movement from back to front without having to transport rubbish through houses.</p> <p>Can the SPD also consider 30 dwellings per hectare as a maximum rather than a minimum density for housing developments in rural areas and that all rural developments fully take into account proposed changes in surface water drainage in West Lancashire, in particular the proposed flooding of parts of West</p>	<p>WLLP policy SP1 makes clear that the need to prioritise brownfield land over greenfield land for development is an important consideration, as does national policy. Similarly, development on non-Green Belt land is prioritised over development on Green Belt land. Such a policy is not considered necessary in the Affordable Housing SPD as it is covered by 'parent' policies.</p> <p>It is agreed that dwellings should provide reasonable room size; whilst a policy on this (or the</p>

Ref	Representor	Summary of comments	Council response
		Lancashire due to the proposed closure of pumping stations into the Alt and Crossens.	<p>adoption of the emerging national space standards for housing) would have been desirable in the SPD, such a policy cannot be introduced via an SPD (see HBF comment no. 7 below).</p> <p>WLLP policy RS1(d) has 30 dwellings per hectare as a minimum, but allows for lower densities where special circumstances are demonstrated. The SPD must conform to this policy.</p> <p>It is agreed that rural developments should take into account flooding-related issues, including the Alt-Crossens plans. However, the affordable housing SPD is not considered the most appropriate place for such a policy, the matter being covered in WLLP policy GN3.</p>
12	House Builders Federation	<p>1. Amount of affordable housing The proposed outline indicates the SPD will discuss targets and thresholds. In terms of targets these are set out within policy RS2 of the adopted Local Plan. It is important that the SPD does not seek to vary the targets set out within the policy as such an approach would be contrary to NPPF paragraph 174 which requires local standards including those for affordable housing to be set out within the Local Plan. If the Council can justify a variation of the target this should only be undertaken through a full or partial plan review.</p> <p>It is noted that the SPD will take account of the recent Government announcement upon a national threshold, this is supported. The NPPG and written Ministerial Statement also provide for vacant building credits. This applies where a vacant building is either brought back into lawful use or is demolished to be replaced by a new building. In such cases a financial credit equivalent to the existing gross floorspace of relevant vacant buildings should be applied (see NPPG ID: 23b-022-20141128 for further details). The SPD should also refer to this new provision.</p> <p>2. Type / tenure of affordable housing Further guidance upon the type and tenure of affordable housing to be provided would be beneficial to the understanding of affordable housing requirements. It is, however, important that the SPD applies any such requirements flexibly to take account of the viability and characteristics of individual sites as well as the changing needs over time.</p>	<p>With regard to the numbered points raised by the HBF:</p> <ol style="list-style-type: none"> 1. Comments noted and agreed. The SPD does not propose to vary WLLP percentage requirement, unless evidence demonstrates a need to do so (as set out in WLLP policy RS2). The SPD covers the change to thresholds and vacant building credit. 2. Noted. The SPD covers viability considerations. 3. Noted. The SPD covers this matter as suggested. 4. The SPD adds further clarification to WLLP paragraph 7.30. 5. The section on CIL deals primarily with Social Housing Relief. 6. Noted. 7. Noted. 8. The Council will consult the HBF on the SPD as it emerges.

Ref	Representor	Summary of comments	Council response
		<p>3. Specialist housing for the elderly Further information upon this element of policy RS2 would assist the understanding of the policy requirements and potential viability implications.</p> <p>4. On / off-site provision Additional information which provides clarity upon the phrases 'exceptional circumstances' and 'locality' would aid the interpretation of policy RS2.</p> <p>5. The Community Infrastructure Levy The inclusion of a section upon CIL may be beneficial, however the outline provides no detail upon what this may include.</p> <p>6. Viability of development The inclusion of a section upon viability is supported.</p> <p>7. Space standards The outline indicates the Council is seeking to impose space standards for affordable housing. This would be contrary to the Government's current work upon the Housing Standards Review which seeks to reduce the proliferation of local standards. The recent consultation '<i>Housing Standards Review - Technical Consultation</i>' (September 2014) clearly indicates that any space standard must be the proposed national standard which can only be introduced via a local plan examination. To introduce such a policy the Council would need to provide evidence which considers the impact and effect of that policy on development in their local area. The required evidence may include issues such as the need for such property sizes, impact upon viability, affordability of such property sizes and a transitional period. Given that this is an SPD and not a local plan the Council should not seek to introduce such a standard via this method.</p> <p>8. Information I trust that the Council will find the foregoing comments useful in the preparation of the Affordable Housing SPD. I would happy to discuss these comments further if required. I also wish to be kept informed of any future consultations upon the Local Plan and associated matters.</p>	
13	Lathom South Parish Council	No comments	-

Equality Impact Assessment Form



Directorate: Transformation	Service: Planning
Completed by: Peter Richards	Date: 06/02/15
Subject Title: Affordable Housing SPD	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	The approval for consultation of a supplementary planning document (SPD) on affordable housing and housing for the elderly, to provide applicants with more detail on how affordable and elderly housing should be provided in line with policies RS1 and RS2 of the adopted West Lancashire Local Plan 2012-2027.
<p><i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	The "work being carried out" is a proposed consultation on a draft document. Anyone is welcome to comment. Apart from a limited

	<p>informal consultation on the scope of the document, directed at Statutory Consultees, developers, Registered Providers, and local agents, no formal widespread consultation on the document has taken place. Therefore information on the nature of the stakeholders, and the extent and / or distribution of protected characteristics amongst them, is not available to any usable extent with respect to this specific SPD.</p> <p>The people who are most likely to be interested in the document and its contents are housing developers, their agents, Registered Providers, and elderly people (or their families) and those on lower incomes, seeking appropriate accommodation for the future.</p>
<p>If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?</p>	<p>N/A</p>
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <p>Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity</p>	<p>Yes No No No No No No No No No</p>
<p>4. DATA ANALYSIS</p>	
<p>In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?</p>	<p>In terms of the proposed consultation on the draft SPD, previous engagement with the community and general public and consultation exercises across the Borough in relation to more general planning policy matters show that it tends to be those of a white-British ethnic background and those of older age groups who actively engage in the process of preparing local planning policy.</p> <p>Completed equality questionnaires from recent consultation exercises on more general planning policy matters, including the 'parent' Local Plan upon which this SPD is based, bear this out. (The limited number of such questionnaires completed does not provide sufficient statistical reliability to analyse and use this data.)</p> <p>It is anticipated that the content of this draft SPD will be of particular interest to private</p>

	<p>housing developers and their agents, who are likely to be affected financially by its content, and thus it is anticipated that such stakeholders will form a significant proportion of those scrutinising and making comments on the SPD. This assumption has been borne out in recent consultations on housing-related policy documents.</p> <p>In addition, the SPD is likely to be of particular interest to older members of the local community (regardless of their gender, disability, sexual orientation, beliefs, and ethnic background). Given the ethnic make-up of the Borough's older population, such people are most likely to be of a white-British ethnic background.</p> <p>Finally, the SPD may be of interest to those who are in need of affordable housing. In terms of how affordable housing is allocated to people in housing need, this is beyond the scope of the SPD and is the function of the Council's Housing Division; the Planning Division does not have data on the make-up of this section of society with regard to their protected characteristics.</p>
<p>What will the impact of the work being carried out be on usage / the stakeholders?</p>	<p>In terms of accessing (to read and comment upon) the SPD during the consultation period, there should be limited direct impact on any stakeholders other than those with specific needs to access the document in a format they can utilise.</p> <p>The content of the SPD is such that, when adopted and implemented, it should have a positive impact upon elderly persons seeking appropriate accommodation, and should have a positive impact on those of lower incomes, and / or those not yet on the housing ladder, who are seeking accommodation. The SPD is also likely to have a financial impact upon housing developers and / or Registered Providers. There is no reason to presume that this impact should be materially different from the impact assessed in the preparation of the 'parent' Local Plan.</p>
<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>The Local Plan, upon which this draft SPD is based, has been consulted on extensively. Full public consultation has not yet taken place on the draft Affordable Housing SPD. A summary of the comments received from a limited, informal consultation exercise with regard to the possible content of the draft SPD is included with the Cabinet Report.</p>

What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Census data for the Borough has been utilised, together with the evidence base for the Local Plan and the consultation feedback from each stage of the Local Plan preparation.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	<p>If / when the draft SPD is adopted, and assuming its policies remain largely the same as at present (this may not necessarily be the case), the 'changes' are likely to have a positive impact upon the elderly (regardless of their status in terms of any of the other protected characteristics).</p> <p>All ages (specifically, those people who are in need of affordable housing), regardless of whether they possess any other protected characteristics, should benefit from increased certainty in terms of provision of affordable dwellings.</p>
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	There is no clear cut negative impact on any particular protected characteristic as a result of the Affordable Housing SPD, but the planning application stage will provide opportunity to consider whether the detailed individual proposals for development impact on particular protected characteristics.
What actions do you plan to take to address any other issues above?	No action.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The policy within the Affordable Housing SPD will only be reviewed as part of any review of planning policy, or as the result of a future Housing Needs and Demand Study. As such, the EIA will only be reviewed at that time. However, as part of the monitoring of the Local Plan and the SPD, the impact on particular protected characteristics will be monitored as far as is possible.



AGENDA ITEM: 5(c)

CABINET:
17 March 2015

PLANNING COMMITTEE:
19 March 2015

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Peter Richards
(Email: peter.richards@westlancs.gov.uk)

SUBJECT: DEVELOPMENT IN THE GREEN BELT SUPPLEMENTARY PLANNING DOCUMENT

Wards affected: Borough-wide

1.0 PURPOSE OF THE REPORT

1.1 To recommend the draft Development in the Green Belt Supplementary Planning Document ("the Green Belt SPD") for public consultation in May / June 2015.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the draft Green Belt SPD (Appendix A to this report) be approved for public consultation, subject to any amendments made by the Assistant Director Planning, in consultation with the Portfolio Holder, as per recommendation 2.2 below.

2.2 That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Green Belt SPD, in the light of agreed comments from Planning Committee, before the document is published for consultation.

3.0 RECOMMENDATIONS TO PLANNING COMMITTEE

3.1 That the content of this report be considered and that agreed comments be referred to the Assistant Director Planning, in consultation with the Portfolio Holder, for consideration of whether any amendments should be made to the draft SPD before the start of the public consultation period.

4.0 BACKGROUND

- 4.1 The majority of West Lancashire is designated as Green Belt. The Green Belt boundaries on the border between West Lancashire and Sefton / Knowsley were established through the Merseyside Green Belt Plan in 1983. The general extent of the Green Belt elsewhere in West Lancashire was designated through the adoption of the Central and North Lancashire Structure Plan, in 1993. Following this, detailed Green Belt boundaries were established around West Lancashire's towns and smaller settlements via a series of District / Borough Council approved local plans.
- 4.2 The Council adopted the West Lancashire Local Plan 2012-2027 (WLLP) on 16 October 2013. The WLLP is the development plan for West Lancashire, and sets out the scale, distribution and principles for the development of the Borough up to 2027. In order to ensure the delivery of necessary development in the Borough the WLLP amended the Green Belt boundary in several places in order to allocate land for development.
- 4.3 The WLLP does not, however, contain a specific policy in relation to development within the Green Belt. Instead it relies on national Green Belt policy, as set out in paragraphs 79-92 of the National Planning Policy Framework (NPPF). WLLP policy GN1 states: *"Development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies"*.
- 4.4 The two previous Local Plans for West Lancashire (adopted 1999 and 2006) contained detailed Green Belt policies. In addition, there have been two supplementary planning guidance notes (SPGs) in place since 2000 / 2001 (namely the Domestic Extensions and Outbuildings and Replacement Dwellings in the Green Belt SPG; and the Stable Buildings in the Green Belt SPG). Whilst national Green Belt policy has remained largely unchanged since before 1999, the two SPGs are considered in need of updating and combining into a single SPD.

5.0 CURRENT POSITION

- 5.1 A draft Green Belt development SPD has been prepared. The proposed Green Belt SPD does not vary national policy, but adds a local interpretation of national policy by specifying the Borough Council's position with regard to certain details not specified in the NPPF, and adding further clarification with regard to certain NPPF Green Belt policies. The purpose of this SPD will be to provide:
- A "local take" on the types of development potentially permissible in the Green Belt under paragraphs 89 and 90 of the NPPF. It advises which WLLP policies will apply to such development. (For example, if a brownfield site in employment use was proposed for redevelopment as housing, WLLP policy GN4: Demonstrating Viability, and policy RS2: Affordable Housing would need

to be satisfied. In addition, policy IF4: Developer Contributions and other policies would be relevant);

- A local interpretation of NPPF terms such as what would constitute “disproportionate additions” to a building in the Green Belt (NPPF paragraph 89, bullet 3) or a “materially larger” replacement building (NPPF paragraph 89, bullet 4).

5.2 Significantly, the Green Belt SPD does not propose (or allow for) any changes to Green Belt boundaries in West Lancashire, as this can only be done through the adoption of a new Development Plan Document such as the Local Plan.

5.3 In accordance with Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council wrote to a number of statutory consultees and other interested parties during January and February 2015, advising of the Council’s intention to prepare an SPD on Development in the Green Belt, indicating what the SPD would be likely to contain, and asking for views on what topics the SPD should cover.

5.4 A total of 13 responses were received to this consultation. Most of these recorded no comments at this stage of the SPD production. The issues raised by those who did provide comments included:

- Concern about the conversion of redundant agricultural buildings to residential use;
- Green Belt land should be protected from development except in exceptional circumstances, and should be subject to stringent criteria;
- Concern regarding the impact of the erection of new agricultural buildings;
- Concern over development on previously developed sites within the Green Belt;
- Development should be prioritised on brownfield rather than greenfield Green Belt areas.

5.5 A summary of the comments received and the Council’s response to these comments (including how the issues raised are being addressed, or why they are not being addressed, in the SPD) is provided at Appendix B for Cabinet to take into account as they consider recommendation 2.1 above.

6.0 NEXT STEPS

6.1 Assuming that Cabinet endorse the draft SPD for public consultation, the consultation is proposed to take place for six weeks, from Thursday 14 May – Friday 26 June 2015.

6.2 Following the consultation period, all comments submitted to the Council will be recorded, acknowledged and considered, and any necessary amendments to the SPD will be made. It is anticipated that the final SPD will be brought to Cabinet seeking authority to adopt in September 2015.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 The purpose of the Green Belt SPD is to facilitate sustainable development in West Lancashire, consistent with the West Lancashire Local Plan and the National Planning Policy Framework.
- 7.2 Ensuring development in the Green Belt is in accordance with policy should help achieve the vision of the Sustainable Community Strategy, namely that West Lancashire should be the cleanest, safest, healthiest and greenest place in the country to live, work and enjoy.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 The preparation of the Development in the Green Belt SPD (and consultation on it) can be resourced through the Planning Service's revenue budgets.

9.0 RISK ASSESSMENT

- 9.1 Not having an up-to-date SPD which provides guidance on Green Belt issues could lead to developers challenging planning decisions relating to Green Belt development, and increase the possibility of unsuitable development in the Borough. The speedy preparation and adoption of this SPD should ensure that the above scenario is avoided.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as Appendix C to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

- A. Draft Development in the Green Belt SPD
- B. Consultation Statement
- C. Equality Impact Assessment
- D. Minute of Cabinet held on 17 March 2015 (Planning Committee only)



Supplementary Planning Document

Development in the Green Belt

March 2015

John Harrison, DipEnvP, MRTPI
Assistant Director Planning
West Lancashire Borough Council



Preface

This document constitutes the 'Consultation Draft' version of the supplementary planning document. The Borough Council is seeking comments on the contents of this document from the public, developers and others with an interest in Green Belt issues.

The document, along with comments forms and related information, will be available during normal working hours at the Council offices and Public Libraries in West Lancashire, as well as on the Council's website. The consultation period runs from Thursday 14 May – Friday 26 June 2015.

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1. Introduction

1.1 What is a Supplementary Planning Document?

This Supplementary Planning Document (SPD) on Green Belt development forms part of the suite of planning documents associated with the West Lancashire Local Plan 2012-2027 (WLLP or 'the Local Plan'). This SPD is subsidiary to the overarching Local Plan, which provides strategic and development management policies for West Lancashire. Once adopted, the SPD will be used by West Lancashire Borough Council in determining planning applications.

This SPD should be read alongside other relevant guidance, including the National Planning Policy Framework (the NPPF), Planning Practice Guidance, the West Lancashire Local Plan, and other SPDs, for example the West Lancashire Design Guide SPD (2008).

Some minor development is permitted by the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 without the need for a planning application. Such development is usually known as 'permitted development'. Home owners and developers who are considering such schemes are nonetheless encouraged to refer to the guidance in this SPD when considering even minor development. This guidance clarifies the implications of permitted development on future planning proposals in the Green Belt.

This SPD will not propose any changes to any Green Belt boundaries but will be used when making a judgment on planning applications put before the Council. However all applications will be judged on their merits and on a case by case basis.

1.2 Sustainability Appraisal

Since the Green Belt SPD will be based upon, and consistent with, national policy and does not propose any changes to any Green Belt boundaries, it is not considered that the Green Belt SPD requires its own Sustainability Appraisal or Strategic Environmental Assessment.

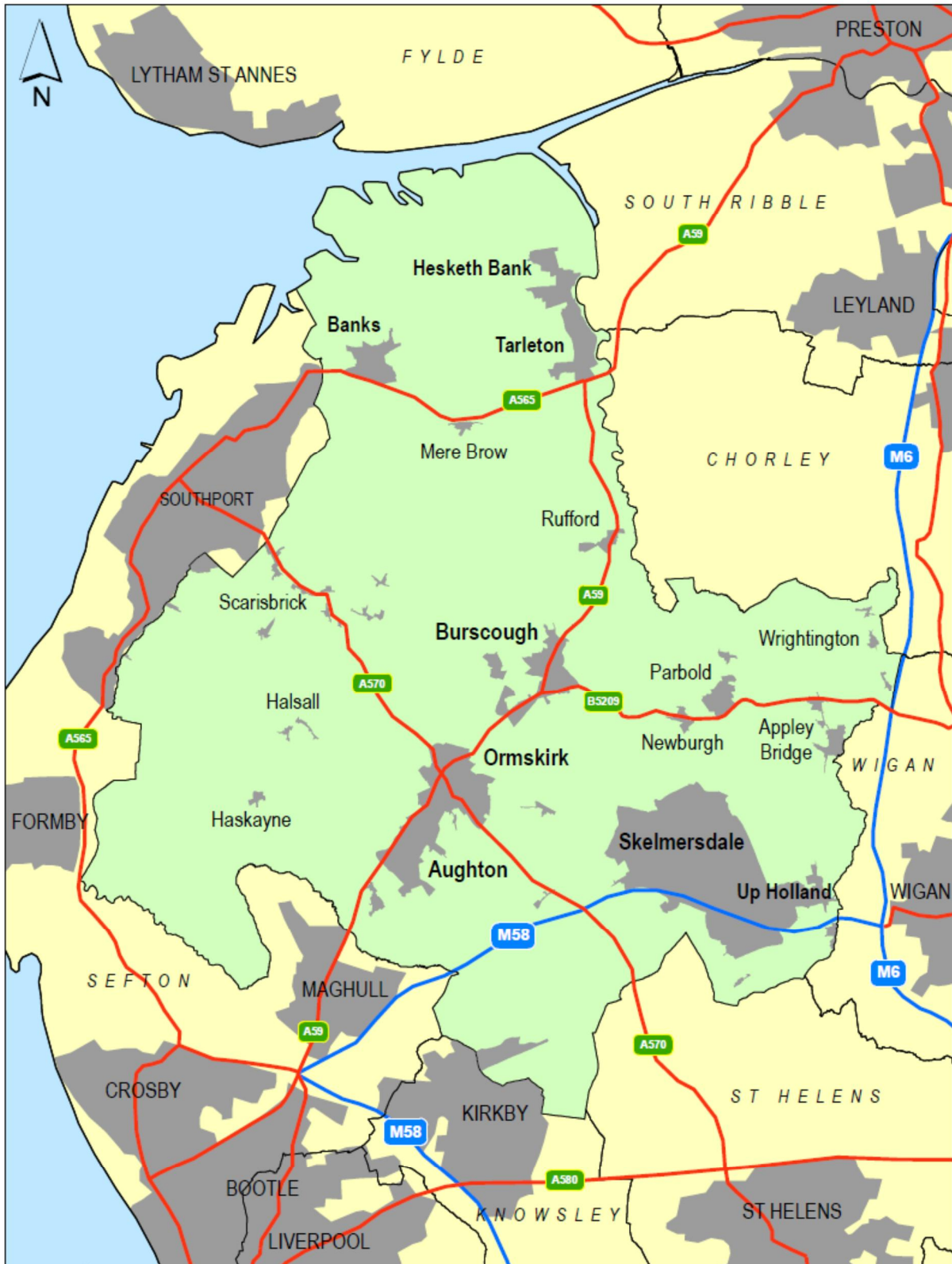
1.3 The Green Belt in West Lancashire

West Lancashire is predominantly rural in character, with scattered villages, the market town of Ormskirk, and the new town of Skelmersdale, and comprises the largest extent of highest grade farmland in the North West of England. It is this character and the Borough's proximity to a number of urban centres, including Liverpool and Preston that make it a popular place to live for those commuting both to Merseyside, Greater Manchester and to other parts of Lancashire.

The Green Belt in West Lancashire covers more than 90% of the total land in the Borough. The Green Belt boundaries where West Lancashire borders Sefton and Knowsley were

established through the Merseyside Green Belt Plan in 1983. The general extent of the Green Belt elsewhere in West Lancashire was designated through Policy 8(a)(v) of the Central and North Lancashire Structure Plan, adopted in March 1993. Following this, detailed Green Belt boundaries were established around West Lancashire's towns and smaller settlements via a series of area-specific local plans, adopted by the Borough Council.

The map overleaf illustrates the extent of the West Lancashire Green Belt and the settlement areas.



Map illustrating the extent of West Lancashire's Green Belt and settlement areas

Green Belt (West Lancashire)
 Settlements

Planning Policy in relation to the Green Belt

National Planning Policy

Paragraphs 79-92 of the NPPF set out national planning policy in relation to Green Belt. It is clear that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent the uncontrolled spread of urban areas by keeping land permanently open. The essential characteristics of the Green Belt are its openness and its permanence.

The Green Belt serves five purposes:

1. To check the unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The West Lancashire Green Belt Study 2011 demonstrates that virtually all Green Belt land adjacent to the settlements of West Lancashire fulfils at least one of the above purposes of the Green Belt.

In March 2014, the government introduced National Planning Practice Guidance (NPPG), a web-based planning policy resource. NPPG provides extra detail and guidance to back up the national planning policies set out in the NPPF. NPPG may be updated periodically, but should always remain consistent with NPPF policy.

Local Planning Policy

The adopted Local Plan does not have a Green Belt policy as such. Instead, Policy GN1(b) states that development proposals within the Green Belt will be assessed against national policy and any relevant Local Plan policies.

The approach to considering development within the Green Belt

The approach to considering proposals for development in the Green Belt is to first ascertain whether or not the proposed development is appropriate in the Green Belt. Case Law¹ recognises that the NPPF does not define what constitutes inappropriate development in the Green Belt. Instead it identifies what may be acceptable forms of development (i.e. development capable of being not “inappropriate”), with all other forms of development therefore regarded as inappropriate by necessary implication.

¹ See *Fordent Holdings v. Secretary of State for Communities and Local Government* [2013] EWHC 2844 (Admin), paragraph 19

Note that where a proposed development contains individual elements that may be judged “not inappropriate”, these do not make the development as a whole appropriate². Development cannot be seen as acceptable in terms of Green Belt policy, merely because part of it is “not inappropriate”.

The table below sets out the types of development deemed “not inappropriate” in the Green Belt by paragraphs 89 and 90 of the NPPF, and highlights the relevant West Lancashire Local Plan policies that apply to such development and/or links to sections of this SPD which provide further information.

² See *Timmins / Lymn v. Gedling Borough Council* [2014] EWHC 654 (Admin)

Development type	Relevant WLLP Policies and further information
NPPF paragraph 89:	
<i>Buildings for agriculture and forestry</i>	Policy EC2 supports the continuing use of rural areas for employment use
<i>Facilities for outdoor sport, outdoor recreation</i>	Policy EN3 provides more detail about the Council's approach to providing open space and recreation facilities
<i>Extension or alteration of a building</i>	See section 2.6 on extensions in the Green Belt
<i>Replacement of a building</i>	See section 2.2 for replacement dwellings and 2.3 for all other buildings in the Green Belt
<i>Limited infilling in villages</i>	West Lancashire contains no villages within the Green Belt
<i>Limited affordable housing for local community needs</i>	<p>Under Policy RS1 very limited affordable housing (i.e. up to 4 units) may be permitted within the Green Belt where it can be proven that there are no suitable sites within the nearest adjacent settlement, in accordance with the sequential test in Policy GN5.</p> <p>The Council's Affordable Housing SPD will also provide further detailed advice on this subject.</p>
<i>Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land)</i>	See section 2.3 for conversion of existing buildings, or section 2.4 for the redevelopment of vacant brownfield sites in the Green Belt
NPPF paragraph 90:	
<i>Mineral extraction</i>	Lancashire County Council has responsibility for identifying sites and policies for minerals development in the Borough. The WLLP contains a map showing where Mineral Safeguarding Areas have been designated within West Lancashire in the Adopted Joint Lancashire Minerals and Waste Development Framework.
<i>Local transport infrastructure which can demonstrate a requirement for a Green Belt location</i>	Lancashire County Council is responsible for transport policy within the Borough. The current Local Transport Plan 3 runs from 2011 – 2021. Policy IF2 seeks to support the strategic transport priorities for West Lancashire as well as more minor local priorities and specific local issues.
<i>Development brought forward under a Community Right to Build Order</i>	West Lancashire does not currently have any Community Right to Build Orders in operation. This will be monitored if the situation changes.

1.4 Impact of development upon the Green Belt

Openness

The term openness is taken to mean the absence of buildings or development³. Whether a development impacts upon openness is therefore an absolute test and is not concerned with the extent to which development is visible, aesthetically pleasing or camouflaged.⁴

With regard to the openness of the Green Belt, the Council will consider the impact of proposals on a case by case basis and the unique circumstances of the site. Redevelopment proposals should generally have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land within it, and where possible, have less impact.

In some instances, replacement buildings are desired elsewhere on a site. Sometimes this can have a greater or lesser impact on the perception of openness, dependent on their location. In these cases the Council will assess the existing site and the impact of any existing building. If the new position would not be in keeping with its surroundings, would be less in keeping or would have a greater impact upon the openness of the Green Belt, the proposal is less likely to be acceptable. However, if it is considered to have less impact upon openness, this is likely to weigh in favour of the application.

Very Special Circumstances

If the development is inappropriate, it is, by definition, harmful to the Green Belt and should not be approved except in '**Very Special Circumstances**' which can only exist where the potential harm to the Green Belt by way of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF paragraphs 87-88).

When attempting to demonstrate 'Very Special Circumstances', the onus is on the applicant to prove that the exceptional nature of the proposal outweighs the harm that it would cause to the Green Belt. Each argument will be judged on its own unique set of circumstances and any accepted case would not necessarily result in a precedent for similar arguments on the same or alternative sites.

Where development is permitted in the Green Belt on grounds of very special circumstances, the Council will reserve the right to remove permitted development rights for extensions and outbuildings to prevent future additions that cumulatively impact upon the openness of the Green Belt.

³ This approach has been used by Inspectors in West Lancashire cases. E.g. see decision letter for Bannister House Farm, Mere Brow (22 October 2014), paragraph 10 (Ref: APP/P2365/A/14/2217810)

⁴ Timmins / Lymn v Gedling Borough Council [2014] EWHC 654 (Admin) paragraph 74

Permitted Development within the Green Belt

There are certain forms of development that householders are able to carry out which do not need planning permission. These are set out in the Town & Country Planning (General Permitted Development) Order 2008. However this does not automatically apply to all buildings, for example:

- buildings not in residential use
- certain types of properties converted to residential use may have had their Permitted Development rights removed – this often applies to properties such as barn conversions and other recent buildings (including dwellings that have replaced older buildings)

Householders should consult the Planning Portal website and seek guidance from the Council on the need for planning permission before carrying out any extension or alteration work.

2.1. General Principles in relation to redevelopment of previously developed land in the Green Belt

Previously developed land can include vacant land and / or existing buildings.

The NPPF defines previously developed land as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”.

Previously developed land **does not** include:

- land that is or has been occupied by agricultural or forestry buildings;
- private residential gardens, parks, recreation grounds and allotments;
- land that was previously developed but where the remains of the permanent or fixed surface infrastructure have blended into the landscape in the process of time
- waste disposal or landfill sites

West Lancashire has a number of previously developed (or ‘brownfield’) sites within the Green Belt. In line with the NPPF, the Council will consider redevelopment proposals of previously developed sites based on their impact upon the openness of the Green Belt.

The following policies deal with replacement dwellings, replacement non-residential buildings, conversions of buildings and redevelopment of brownfield sites. If the criteria in the policies are not met, proposals are unlikely to be successful unless the applicant can demonstrate very special circumstances. Although the policies will be the basis for making a judgment on planning applications put before the Council, it must be stressed that all applications will be judged on their merits on a case by case basis.

2.2 Replacement dwellings

POLICY GB1 – REPLACEMENT DWELLINGS IN THE GREEN BELT

A proposal for the replacement of an existing dwelling within the Green Belt must satisfy each of the following criteria:

- a) The existing dwelling is lawful and permanent in nature;
- b) The total volume of the replacement dwelling should not be more than 20% greater than the dwelling that it replaces. Outbuildings within 5m of the existing dwelling will be included within this volume calculation;
- c) The replacement dwelling should not materially harm the openness of the Green Belt through excessive scale or bulk. It should also be in keeping with the character of the area and appropriate in terms of design and materials;
- d) The curtilage of the replacement dwelling should be no larger than that established for the dwelling it replaces

- e) The replacement dwelling should be on or close to the site of the one it replaces, unless it can be satisfactorily demonstrated that an alternative location within the same curtilage will achieve significant environmental improvements or road safety benefits.

The applicant must submit to the Council details of the existing and proposed dwellings within a 'Green Belt Assessment', which should include:

- full details of the volume calculations (in cubic metres) of the existing dwelling (or dwellings);
- volume calculations of the proposed replacement dwelling

The applicant will also be required to carry out a survey of any protected wildlife species which may be present in the existing building.

Where appropriate, a condition will be attached to any permission requiring the demolition of the existing property before any replacement is occupied.

The Council, where appropriate, will remove permitted development rights for extensions and outbuildings from replacement dwellings in the Green Belt.

Justification

NPPF paragraph 89 bullet point 3 allows for replacement dwellings in the Green Belt, providing the new dwelling is not 'materially larger' than the one it replaces.

The Council considers that a limit of 20% is appropriate in terms of the increase in volume of the replacement dwelling compared with the dwelling it replaces.

Any unused permitted development rights on the existing dwelling will not be taken into account in volume calculations; these are effectively 'forfeited' if a dwelling is replaced.

Regardless of the percentage limits for increases in volume, replacement dwellings will be judged on their impact on the openness of the Green Belt, their design, their siting within the plot and general location. It may be the case that a replacement dwelling is judged to have an unacceptable impact on the openness of the Green Belt compared with the existing dwelling, even if the above volume limits have not been breached. Conversely, there may be cases where the limits could be marginally exceeded if a replacement dwelling is particularly well-designed, in such a way that its impact on openness is minimised.

If the applicant proposes a replacement dwelling in a different location to the existing, it will be necessary to demonstrate that there is no increase in the overall visual impact of the building in the landscape. A scheme of remediation of the original house site will also be required and will be linked by condition or legal agreement to any replacement house.

The removal of permitted development rights for extensions and outbuildings from replacement dwellings in the Green Belt will prevent future additions that may cumulatively impact upon the openness of the Green Belt.

2.3 Conversion and replacement of non-residential buildings

There is a varied range of buildings located in the Green Belt which are no longer suitable for their original purposes. The majority are likely to be agricultural buildings but there may also be churches, chapels, schools, public houses, stables and others for which an alternative use may be sought.

Many of these buildings make a positive contribution to the character and appearance of the area. Provided they are structurally sound, conversion of these buildings, for example to employment or community use, visitor accommodation or housing can safeguard their future. By re-using existing resources, conversions can also meet the aims of sustainable built development.

Conversion of a building is considered to be development which would not lead to effective demolition and reconstruction of the building.

POLICY GB2 – CONVERSION OR REPLACEMENT OF NON-RESIDENTIAL BUILDINGS IN THE GREEN BELT

1. Conversion of buildings

A proposal for the conversion of an existing non-residential building within the Green Belt must satisfy each of the following criteria:

- (a) The building must be of permanent and substantial construction and capable of conversion without major change or extension;
- (b) The proposals will maintain the character of the building, retaining essential features and detailing, as well as traditional forms and layouts;
- (c) The proposals will maintain and enhance the site features, and the character and wider landscape setting of the area;
- (d) The proposals will seek to improve the external appearance of the building, in line with the Borough Council's Design Guide SPD.

2. Replacement buildings

A proposal for the replacement of an existing non-residential building within the Green Belt with another non-residential building must satisfy each of the following criteria:

- (a) The existing building is lawful and permanent in nature;

- (b) The total volume of the replacement building should not be more than 20% larger than the volume of the building it replaces;
- (c) The replacement building should not materially harm the openness of the Green Belt through excessive scale or bulk or by virtue of its location. It should also be in keeping with the character of the area and appropriate in terms of design and materials.

The applicant must submit to the Council details of the existing and proposed buildings within a '*Green Belt Assessment*', which should include:

- full details of the volume calculations (in cubic metres) of the existing building(s);
- volume calculations of the proposed replacement building(s)

Where appropriate a condition will be attached to any permission requiring the demolition of the existing property before any replacement is brought into use.

For both conversions of buildings and replacement buildings, the applicant will be required to carry out a survey of any protected wildlife species which may be present in the existing building.

Justification

Conversions of buildings are permitted under NPPF paragraph 90, provided the buildings are of permanent and substantial construction.

In the case of traditional buildings, the proposal should retain essential features and detailing such as openings, walls and roofs as well as traditional forms and layouts

There are some buildings which may not be suitable for conversion, for example those which are structurally unsound, missing substantial sections of wall or roofs, ruined beyond recognition, eyesores which should be removed in the interests of landscape conservation, and / or buildings at risk of flooding. Conversion of non-residential buildings to housing should provide acceptable standards of accommodation in terms of room sizes and amenity.

The Council considers that a replacement building which is up to 20% larger than that which it replaces, may be appropriate in the Green Belt. Regardless of the percentage limits for increases in volume, replacement buildings will be judged on their impact on the openness of the Green Belt, their design, their siting within the plot and general location. It may be the case that a replacement building is judged to have an unacceptable impact on the openness of the Green Belt compared with the existing building, even if the above Policy GB2 volume limits have not been breached. Conversely, there may be cases where the limits could be marginally exceeded if a replacement building is particularly well-designed, in such a way that its impact on openness is minimised.

2.4 Vacant previously developed sites in the Green Belt

POLICY GB3 – REDEVELOPMENT OF VACANT PREVIOUSLY DEVELOPED SITES IN THE GREEN BELT

Proposals for the redevelopment of vacant previously developed sites within the Green Belt will be permitted provided the proposed development would not have a greater impact than the existing development on the openness of the Green Belt or on the purposes of including land within the Green Belt.

Justification

Policy GB3 is consistent with paragraph 89 of the NPPF.

When determining the impact of the proposed development upon the openness of the Green Belt, the Council would take into consideration a number of issues including:

- Previous buildings which may have occupied the site, including their size and layout
- How long ago the buildings occupied the site

2.5 Other considerations in relation to residential development on Brownfield land in the Green Belt

In the case of residential development on brownfield sites in the Green Belt, a proportion of the units should be affordable housing in accordance with WLLP **Policy RS2 (Affordable and Specialist Housing)** and **Policy AH1 (Affordable Housing Requirements)** of the Affordable Housing SPD 2015, if the Policy RS2 threshold for providing affordable housing has been exceeded.

For sites currently or most recently in employment or retail use (e.g. Use Classes A1, B1,B2, B8) or as agricultural/horticultural workers' dwellings, **Policy GN4 (Demonstrating Viability)** would need to be satisfied, unless such development were Permitted Development under the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014).

Policy RS5 (Accommodation for Temporary Agricultural/Horticultural Workers) permits the re-use of existing buildings within the Green Belt for accommodation for temporary agricultural and/or horticultural workers provided that it complies with other policies in the Local Plan and national planning policy. **Policy EC2 (The Rural Economy)** states that as a general approach, the re-use of existing buildings within rural areas will be supported where they would otherwise be left vacant. This conforms with paragraph 90 of the NPPF which sets out the re-use of buildings (providing they are of permanent and substantial construction) as an exception to inappropriate development in the Green Belt.

Where new dwellings are permitted in the Green Belt, the Council will reserve the right to remove permitted development rights for extensions and outbuildings in order to prevent future additions that cumulatively impact upon the openness of the Green Belt.

2.6 Alterations and Extensions to Buildings within the Green Belt

There is a substantial demand to extend dwellings within the Green Belt. Although house extensions can, in principle, be appropriate development within the Green Belt, large extensions can substantially change the original appearance of a rural building and can have a cumulative effect on the character of the Green Belt. The following policy therefore provides guidance on how the Council will assess proposals for extensions to buildings in the Green Belt.

POLICY GB4 - ALTERATIONS AND EXTENSIONS TO BUILDINGS WITHIN THE GREEN BELT

Proposals for an extension to an existing building within the Green Belt must satisfy each of the following criteria:

- (a) The existing building is lawful and permanent in nature;
- (b) The total volume of the proposal, together with any previous extensions, alterations and outbuildings, would not result in an increase of more than 40% above the volume of the original building (including, in the case of residential properties, any outbuildings or parts of outbuildings within 5m of the existing dwelling)
- (c) The design of the extension or alteration is in keeping with the original form and appearance of the building and does not materially harm the openness of the Green Belt through excessive scale or bulk, or by virtue of its location. It should also be in keeping with the character of the area and appropriate in terms of design and materials.

The applicant must provide clear evidence of what constitutes the original property and the volume of subsequent and proposed extensions within a '*Green Belt Assessment*' submitted to the Council, which should include:

- full details of the volume calculations (in cubic metres) of the 'original' property(-ies);
- volume calculations (in cubic metres) of any subsequent extensions; and
- volume calculations of the proposal.

The 'original building' is defined within the NPPF as the building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

The extension of an existing residential property within the Green Belt should not result in an increase in the residential curtilage.

The Council reserves the right to remove permitted development rights for further extensions and outbuildings to prevent future additions that cumulatively impact upon the openness of the Green Belt.

Justification

Extensions and alterations to buildings in the Green Belt are not considered in national or local planning policy to constitute inappropriate development, providing that any extension or alteration is not disproportionate and therefore, by definition, harmful to the openness of the Green Belt. Disproportionate development is defined in the NPPF as that which is 'materially larger' than the original building. The Council considers that any extension or alteration to a building within the Green Belt which exceeds 40% of the volume of the original building to be materially larger and therefore disproportionate.

This figure of 40% is provided as a guide only. There may be cases where an extension of less than this volume would be considered to have an unacceptable impact upon the openness of the Green Belt in certain locations. Figure 1 (a) and (b) overleaf illustrate examples of extensions of less than 50% of the size of the original property which, due to their form and projection from the original building, may be judged to have a negative impact upon openness. Figure 2 on the other hand, illustrates an extension of 50% of the original property. Due to its position in relation to the property, the impact of this form of extension upon the openness of the Green Belt would be substantially less than either Figure 1 (a) or (b).

Any additions to the building that have been constructed since the 'original' building date will be considered cumulatively and will be counted as part of the overall increase in size of the building when further new additions are being assessed. In the case of residential properties, this includes any building or structure erected as an enlargement of the dwelling for the purpose of additional domestic accommodation or for a purpose ancillary to the residential use of the dwelling. This approach is taken because small reductions in openness, repeated many times, can cumulatively have a material detrimental effect.

No development will be permitted in Green Belt areas which would result in the extension of domestic gardens as this is deemed to have a potential impact on openness.

Figures 1 & 2: Illustration of the impact of extensions upon the openness of the Green Belt

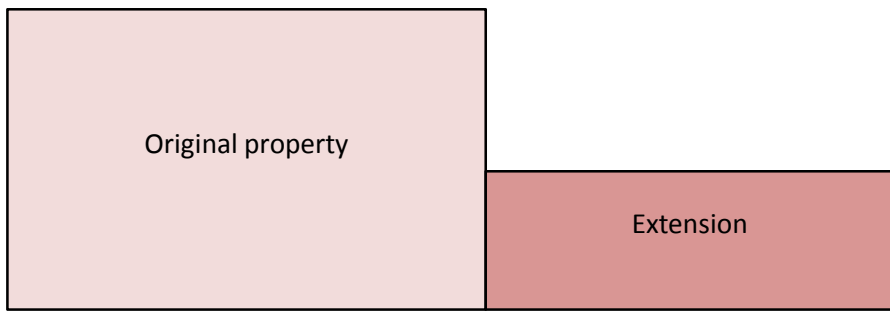


Figure 1 (a)

Figure 2 (b)

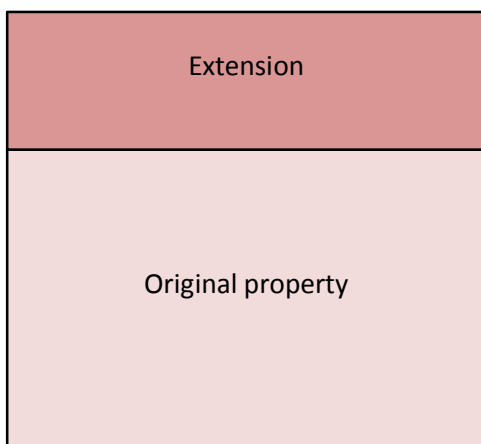
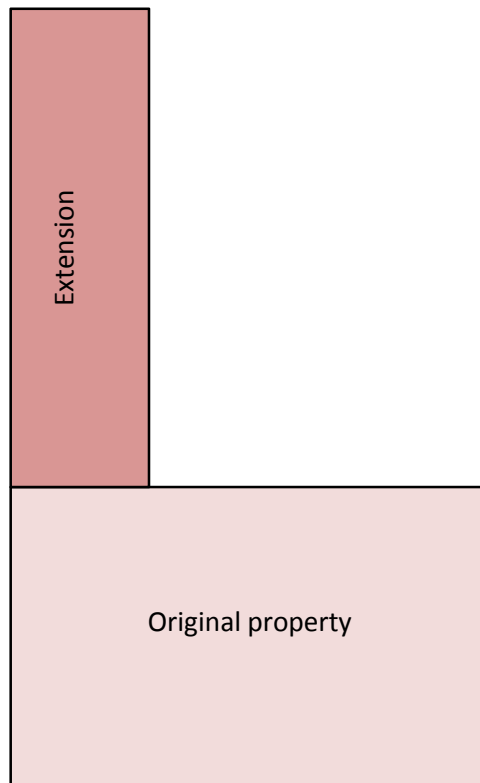


Figure 3

2.7 Stable Buildings in the Green Belt

The policy below concerns stables used for private recreational purposes only – commercial riding stables will be subject to different planning policies e.g. WLLP **Policy EC2** (The Rural Economy).

POLICY GB5 – STABLE BUILDINGS IN THE GREEN BELT

The number of stables should be appropriate to the intended use and should be kept as small as possible. Applicants should provide evidence to demonstrate the need for the stable building and to justify the amount of accommodation required.

New stables should meet the following criteria:

Design and scale

- Stables should normally comprise blocks of single stable depth, opening directly to the outside
- The building should have a maximum height to the roof ridge of 3.5m
- Each stable should have a maximum floor space of 14m²
- Tack rooms and hay stores should be of a similar size to that of an individual stable

Materials

Stables should be constructed from timber mounted on low brick plinths or with some limited courses of internal blockwork up to a height of 1.3m in order to protect timber walls from damage from the horses.

Siting

When siting stable buildings, the following guidelines should be followed:

- The stable building should not be in an open or prominent position and, if possible, should be close to existing buildings;
- The stable building should not require the construction of a long track in order to provide access; this may in itself constitute an engineering operation requiring planning permission;
- The stable building should, however, be an appropriate distance from the façade of any inhabited building, or of the boundary of any garden of any inhabited building not in the same ownership of the stable (to avoid nuisance from smell, noise, etc.); and
- The siting of the stable building should not have any adverse effect upon wildlife habitats, heritage assets or agricultural interests.

Areas of hardstanding

These areas associated with the stables should be the minimum size necessary for operation.

Landscaping and Boundary Treatments

Such screening should comprise a mixture of indigenous species of hedge and small trees appropriate to that particular rural setting. Details of landscaping and boundary treatments should be included in any application for a stable building.

Wildlife

Features such as nesting boxes within the eaves, or holes for birds or bats incorporated within stable buildings, will be encouraged.

Waste Disposal

Any applications for stable buildings should include details of drainage and methods for storage and disposal of manure.

Exceptions to these sizes and designs will only be accepted in very special circumstances.

Justification

There has been considerable growth in horse riding as a recreational pursuit in recent years. Demand has been stimulated by new facilities associated with farm holdings and by the selling off of individual fields or paddocks. Stable blocks on open, undeveloped land can appear isolated and intrusive and, once established, can lead to the intensification of uses on the site. The objective of this policy is to ensure that new stables are only permitted in locations which are not damaging to the character and appearance of the countryside.

Stables generally tend to be required for relatively short periods of time, with needs varying according to change of ownership or occupation of land or associated dwellings. On this basis, the Council considers it inappropriate that the stables should be constructed of permanent materials such as brick or stone. This may result in them remaining on the site long after they are needed and lead to a proliferation of brick and stone buildings across the countryside, to the detriment of the character and openness of the Green Belt. Instead, materials should help to reduce the impact of such buildings on the character and openness of the Green Belt.

The impact of these buildings can also be reduced by minimising the amount of hardstanding permitted around the stable buildings, in order to prevent the encroachment of development into the open countryside. Stable buildings and hardstanding areas can, if necessary, be screened by vegetation to further reduce their impact on the landscape.

Appendix B

Development in the Green Belt Supplementary Planning Document

Consultation Statement

Under Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012, West Lancashire Borough Council consulted the following bodies on the scope of the proposed Development in the Green Belt SPD:

- Statutory Consultees (“Specific Consultation Bodies” as defined by Regulation 2 of the above Regulations);
- Locally active planning agents;
- Locally active housebuilders and Registered Providers (as this was a joint consultation on the Green Belt SPD and also on an Affordable Housing SPD).

The table on the following pages records which parties made representations on the scope of the SPD, the issues raised by the said parties, and the Council’s response in terms of how these issues have been addressed in the draft SPD.

Summary of comments made on Reg 12(a) consultation on Green Belt Issues SPD

February 2015

Ref	Representor	Summary of comments	Council response
01	Highways Agency	No comments to make	-
02	Sefton MBC	No comments	-
03	The Coal Authority	No comments	-
04	English Heritage	No comments	-
05	Newburgh Parish Council	Concern regarding conversion of redundant agricultural buildings to housing in the Green Belt	<p>Recent changes in the Town & Country Planning (General Permitted Development) Order 2008 (Class MB) allow for agricultural buildings to be converted into dwellings without the need for full planning permission. This is subject to going through a prior notification procedure where details are submitted to the Council. Proposals will need to satisfy a number of criteria and certain restrictions will be imposed on other new agricultural development.</p> <p>Where planning permission is required for the conversion of a non-residential building to residential use, the “higher” / “parent” policies, provided in this case by the National Planning Policy Framework (NPPF), determine what kind of development is permitted in the Green Belt. Those forms of development considered ‘<u>not</u> inappropriate’ (para.89) include the conversion of non-residential buildings within the Green Belt to residential usage, providing certain criteria are met. The SPD will provide these criteria, with the aim of preserving the openness of the Green Belt as far as possible.</p>
06	Marine Management Organisation	No comments	-
07	Wrightington Parish Council	Wrightington Parish Council would ask that when preparing these documents, the policies contained within the SPD on Green Belt ensure that Green Belt land can be protected from development by stealth and will continue to only be allowed in very exceptional circumstances and subject to stringent criteria.	<p>The NPPF does consider some development <u>not</u> ‘inappropriate’ in the Green Belt. This includes agricultural buildings, sports facilities, some extensions, and replacement buildings on previously developed land. These are subject to restrictions which the SPD attempts to clarify.</p> <p>Therefore, while the Council can apply locally specific criteria to control issues such as the form, design and appearance of development within the Green Belt, the precedent for whether development is inappropriate or not is set by national government, rather than the Borough Council.</p>

Ref	Representor	Summary of comments	Council response
08	Aughton Residents Group	<p>Aughton Residents Group supports the Planning Department's robust approach to challenging the majority of attempts to convert non-residential buildings within the Green Belt to residential usage. We are concerned however that any perceived weakening of that position within the SPD will be seized upon by landowners and developers. ARG would wish to see the following points addressed within the SPD.</p> <ol style="list-style-type: none"> 1. Applications seeking to significantly alter the structure of a building, or redesignate it from non-domestic to domestic will be robustly challenged. 2. Applications for new build 'agricultural' buildings will be scrutinised against impact on Green Belt in general and local dwellings in particular. 3. Applications relating to 'Brownfield' sites within the Greenbelt will be refused except where exceptional circumstances can be proven as per the National Planning Framework. 	<p>In response to the numbered comments:</p> <ol style="list-style-type: none"> 1. See response to Newburgh Parish Council in relation to the concerns about the conversion of non-domestic buildings to dwellings. However the SPD will seek to ensure that applications for conversion preserve any aspects of the structure and design of the building which hold value. It will also restrict alterations and extensions for this same reason, and also to preserve the openness of the Green Belt. 2. The NPPF permits the construction of new agricultural buildings in the Green Belt [under a prior notification procedure]. Therefore the SPD has no power to restrict this form of Green Belt development. 3. Development on previously developed ('brownfield') land within the Green Belt is not inappropriate development according to the NPPF. Therefore the Council has no power to refuse an application on such a site on this basis alone. However the NPPF requires that this type of development must not have a greater impact upon the openness of the Green Belt. The SPD will provide guidance on how this will be assessed.
09	Lancashire County Council	No comments	-
10	Natural England	No comments	-
11	Halsall Parish Council	<p>Halsall Parish Council asks that consideration be given to use brown belt (<i>sic</i>) areas in preference to Green Belt areas.</p> <p>All rural developments should fully take into account proposed changes in surface water drainage in West Lancashire, in particular the proposed flooding of parts of West Lancashire due to the proposed closure of pumping stations into the Alt and Crossens.</p>	<p>The NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. This is reinforced by the development restrictions placed upon Green Belt land. WLLP policy SP1 makes clear that the need to prioritise brownfield land over greenfield land for development is an important consideration, as does national policy. Similarly, development on non-Green Belt land is prioritised over development on Green Belt land.</p> <p>Such a policy is not considered necessary in the Green Belt SPD as it is covered by 'parent' policies.</p> <p>The specification of surface water drainage treatments is not a matter within the scope of this SPD.</p>

Ref	Representor	Summary of comments	Council response
12	Home Builders Federation	No comments	-
13	Lathom South Parish Council	No comments	-

Equality Impact Assessment Form



Directorate: Transformation	Service: Planning
Completed by: Peter Richards	Date: 06/02/15
Subject Title: Development in the Green Belt Supplementary Planning Document	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	Consultation on a draft SPD guiding development within the Green Belt.
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>
	Yes/No*
<p>If Yes, provide details of how this impacts on service users, staff or Councillors (stakeholders):</p> <p><i>If you answered Yes go to Section 3</i></p>	
<p>If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups:</p> <p><i>You do not need to complete the rest of this form.</i></p>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e.	The Development in the Green Belt SPD will impact primarily upon those owning land within

who is/are the stakeholder(s)?	the Green Belt. The SPD will inform planning decisions on applications that are subsequently brought forward by other parties and which will potentially have direct impacts on the general public living, working or spending leisure time in the Green Belt.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	No No No No No No No No No No

4. DATA ANALYSIS

In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	<p>No formal consultation has yet taken place on the draft SPD, apart from a limited informal exercise in which Statutory Consultees, housing developers and local agents were asked about the scope of the SPD. The results of this consultation are summarised in the Cabinet report. This consultation did not yield statistically significant data that could be used to build up a picture of the prevalence and / or distribution of protected characteristics amongst the likely stakeholders.</p> <p>Previous engagement with the community and general public in relation to planning policy matters and consultation exercises across the Borough (for example for the Local Plan in 2012-13) show that it tends to be those of a white-British ethnic background and those of older age groups who actively engage in the process of preparing planning policy. Completed equality questionnaires from those consultation exercises bear this out, but the limited number of such questionnaires completed does not provide sufficient statistical robustness to analyse and use this data.</p> <p>Once it is adopted, the SPD will primarily be used by landowners / developers (i.e. commercial interested parties) seeking to submit a planning application or individual property owners with an interest in Green Belt</p>
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	land. Such people can potentially be of any age, gender, disability (or otherwise), belief, sexual orientation and ethnic background, but are most likely to be of a white-British ethnic background and an older age group, as identified above through past experiences.
What will the impact of the work being carried out be on usage/the stakeholders?	<p>Consultation on the draft SPD will have limited direct impact on any stakeholders other than those who wish to access the document in a format other than the usual electronic or printed versions.</p> <p>However, development of Green Belt land, which will be informed and influenced by the SPD once adopted, could potentially have a range of impacts on a range of stakeholders, most notably landowners and their neighbours.</p>
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	<p>No formal consultation has yet taken place on the draft SPD, apart from a limited informal exercise in which Statutory Consultees, housing developers and local agents were asked about the scope of the SPD. The results of this consultation are summarised in the Cabinet report.</p> <p>The SPD has not yet been consulted upon extensively – this will form the next stage of the preparation of the document.</p>
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Census data for the Borough has been utilised, together with the evidence base for the Local Plan and the consultation feedback from each stage of the Local Plan preparation.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	<p>Firstly, it is necessary to state that the SPD does not involve any material <i>change</i> to policy, but is a clarification of already-assessed Local Plan and, primarily, national policy.</p> <p>As stated above, once it is adopted, the SPD will be likely to be of relevance to, or affect, landowners / developers seeking to submit a planning application(s), or people travelling through, working in, or spending leisure time in the Green Belt.</p> <p>Such people could potentially be of any age, gender, disability (or otherwise), belief, sexual orientation and ethnic background, and there is no reason to assume that the implementation of the policy should have a disproportionate</p>

	impact on any of the protected characteristic groups.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	There is no clear cut negative impact on any particular protected characteristic as a result of the Development in the Green Belt SPD, but the planning application stage will provide opportunity to consider whether the detailed proposals for development impact on particular protected characteristics.
What actions do you plan to take to address any other issues above?	No actions.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The policy within the Green Belt SPD will only be reviewed as part of any review of planning policy covering the Green Belt in the future (e.g. a new Local Plan or national guidance). As such, the EIA will only be reviewed at that time. However, as part of the monitoring of the Local Plan and the SPD, the impact on particular protected characteristics will be monitored as far as is possible.



AGENDA ITEM: 5(d)

CABINET: 17 March 2015

PLANNING COMMITTEE: 19 March 2015

Report of:	Assistant Director Planning
Relevant Managing Director:	Managing Director (Transformation)
Relevant Portfolio Holder:	Councillor M Forshaw
Contact for further information:	Peter Richards (Extn.5046) (email: peter.richards@westlancs.gov.uk)

SUBJECT: SEFTON LOCAL PLAN – PUBLICATION STAGE

Wards affected: Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 To seek Cabinet's authority to submit representations to the Sefton Local Plan (which will be considered in the Examination of the Local Plan) and to seek Cabinet's endorsement of a letter to Sefton Council in relation to the Duty to Co-operate.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the Representations attached at Appendix A be submitted to Sefton Council.
- 2.2 That the Duty to Co-operate letter attached at Appendix B be submitted to Sefton Council.
- 2.3 That the Assistant Director Planning, be authorised, in consultation with the Portfolio Holder, to make any necessary amendments to the Representations and Duty to Co-operate letter agreed at recommendations 2.1 and 2.2, in the

light of agreed comments from Planning Committee, before the representations and letter are submitted.

- 2.4 That Call In is not appropriate for this item as the consultation closes on 27 March 2015.

3.0 RECOMMENDATIONS TO PLANNING COMMITTEE

- 3.1 That the content of this report be considered and that agreed comments be referred to the Assistant Director Planning, in order that any necessary amendments can be made to the Representations and Duty to Co-operate letter, in consultation with the Portfolio Holder, before their submission to Sefton Council.

4.0 BACKGROUND & CURRENT POSITION

- 4.1 Sefton Council have been preparing their Local Plan for some time and have now reached the Publication stage. Sefton Council have published the Local Plan they would like to submit for Examination by a Planning Inspector and are inviting representations on the soundness and legal compliance of that Local Plan. Any representations received will be submitted with the Local Plan to be considered during the Examination. All documents regarding the Sefton Local Plan are available to view at www.sefton.gov.uk/localplan .
- 4.2 The Sefton Local Plan proposes to deliver 11,070 new dwellings and 84.5 ha of new employment land during the period 2012-2030, with over 7,300 of the new dwellings anticipated to be delivered on 46 housing allocations across the Borough, some of which are located adjacent, or close, to the boundary of West Lancashire.
- 4.3 Previously, the Council have submitted comments and responses in relation to previous consultations on the Sefton Local Plan and, while these have been considered and resulted in some changes, there are still some outstanding issues that it is recommended that the Council raise for consideration during the Examination of the Sefton Local Plan.
- 4.4 Sefton Council have also published a draft Duty to Co-operate Statement which they have invited comment on before it is refined and submitted with the Local Plan. It is important that the Council respond in relation to this matter to ensure that the Statement is accurate, from a West Lancashire perspective, and to demonstrate our own willingness to co-operate with Sefton.
- 4.5 Members were made aware of the Publication of Sefton's Local Plan on 5 February and invited to pass any comments on the Local Plan that they would like to be considered for inclusion in the Council's representations by 23 February. No comments were received from Members.

5.0 ISSUES OF CONCERNS & PROPOSED RESPONSE

- 5.1 Attached at Appendix A are three proposed representations addressing three issues it is recommended we comment on. The first is a representation of support for the housing and employment requirements in the Local Plan and the reference in the Local Plan to a commitment by Sefton to an early review of the Sefton Local Plan and, associated with this, the need to prepare a sub-regional review of housing and employment needs, which will inform the next iteration of Local Plans across the Liverpool City Region, including West Lancashire (Sefton Local Plan, page 26 at paragraphs 4.37 and 4.39 – 4.44).
- 5.2 In light of this reference to the need for an early review of Sefton's Local Plan, the second representation is an objection querying the soundness of the Local Plan in relation to whether two particular allocations to the north of Maghull are justified or not. Allocations MN2.28 and MN8.1 allocate land to the north of Maghull for housing and safeguarded land respectively (see Appendix C).
- 5.3 At the last stage of consultation on the Local Plan, the Council objected to Sefton's inclusion of these sites then as "Reserve Sites". Our objection stemmed from the fact that the release of these sites from the Green Belt, for development now or in the future, would significantly close the strategic Green Belt gap between Maghull and Aughton village / Holt Green. Sefton Council's own assessments of these sites acknowledge that the release of these sites would close that gap by 40% and reduce it only 1km. Therefore, the Council's objection to these sites as not being justified stands.
- 5.4 In addition, now that Sefton Council are committed to an early review of the Local Plan, it questions the need for safeguarded land in the proposed Local Plan anyway. The proposed Local Plan only allocates two safeguarded sites, both to the north or north-east of Maghull and which are able to deliver only approximately 1,000 dwellings between them (less than 2 years' worth of housing supply for Sefton). Therefore, it seems at odds with the commitment to an early review of the plan to consider safeguarding land when there is clearly a justification to review how future development needs in Sefton are to be addressed when more suitable sub-regional evidence has been prepared. As such, the allocation of safeguarded land is not justified.
- 5.5 The proposed representation at Appendix A therefore recommends that Policy MN8 and the two safeguarded sites are removed, and that the safeguarded site to the north-east of Maghull (MN8.2) is instead allocated for housing in place of MN2.28. In this way, the two sites to the north of Maghull which would significantly close the strategic gap between Maghull and Aughton village / Holt Green are removed from the Local Plan but the full housing requirement in the Sefton Local Plan can still be met.
- 5.6 Failing this, the representation seeks that MN8.2 becomes a housing allocation while MN2.28 becomes safeguarded land so that the two sites we have concerns

about are safeguarded and would not be developed until such time as a review of the Local Plan brought them forward as a housing allocation.

- 5.7 The third representation is neither an objection nor one of support, but simply flags concerns that the Council would like the Inspector to be sure will be sufficiently addressed by policy elsewhere in the Local Plan related to the traffic impacts and flood risks associated with all proposed allocations adjacent, or close, to the border with West Lancashire.
- 5.8 It is not recommended that the Council object to any of these sites, because there is no issue with the principle of developing these sites as long as measures are put in place to ensure that the traffic generated from them does not increase flow on the moss roads in the Western Parishes of West Lancashire, which are unsuitable for any increase in vehicle movements, but can be managed through proposed improvements on the eastern approach into Southport (A570 corridor). In addition, some of the allocations involve development in areas at risk of flooding, and so the Inspector would also need to be satisfied that the Local Plan will ensure appropriate measures can be enforced on development on these allocations to ensure the risk of flooding in West Lancashire is not increased.
- 5.9 With regard the Duty to Co-operate Statement, the proposed letter attached at Appendix B broadly supports the Statement and the fact that Sefton Council have co-operated with West Lancashire (and visa versa) in the preparation of their Local Plan. However, there are two matters it is recommended that the Council raises with Sefton Council with regard this statement.
- 5.10 The first is the lack of reference to the need to implement improvements on the eastern approach to Southport (the A570 corridor) to manage the impacts of new developments in the Southport area during the Local Plan period, as this is a strategic, cross-boundary issue of some importance for Sefton and West Lancashire. A reference should be made to this matter in the Statement.
- 5.11 The second is simply a point of clarification in relation to the issue of provision for Travellers on page 22 of the Statement. It states that *“All the participating authorities [in the Merseyside Traveller Study] have agreed that the identified need for each authority is suitable and achievable”*. However, it is not necessarily true to say that West Lancashire’s need is necessarily achievable at this time.
- 5.11 The Council are currently preparing a Travellers DPD but it is not yet clear whether the DPD will be able to identify sufficient deliverable sites to fully address West Lancashire’s need. Indeed, the question has been asked of Sefton Council whether they would be able to accommodate any of West Lancashire’s Traveller need, to which they recently replied that they could not, and so this dialogue should be referenced in the Statement, together with West Lancashire’s potential predicament.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The Sefton Local Plan has been subject to a Sustainability Appraisal, but the impacts on sustainability of the issues it is proposed the Council should make representation on could be significant if the concerns are not addressed, with impacts primarily being of an environmental nature and potentially economic and social if adequate access improvements are not made on the eastern approach to Southport (A570 corridor).

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 There are no financial and resource implications for the Council related to this decision unless the Council choose to attend the Examination hearings for the Sefton Local Plan, in which case the officer time involved will be funded through the Planning Service revenue budgets.

8.0 RISK ASSESSMENT

- 8.1 The risks to the Council regarding this decision relate to the risks that development sites allocated in the Sefton Local Plan are not delivered in full compliance to the Sefton Local Plan and national policy or that the Sefton Local Plan is not ultimately adopted, meaning that Sefton are unable to meet their objectively assessed development needs.
- 8.2 The first risk is mitigated by one of the proposed representations at Appendix A, which is asking the examining Inspector to be sure that the Sefton Local Plan, taken as a whole, will ensure that the site allocations on the boundary with West Lancashire are developed in a way so as to minimise any impact on land and infrastructure within West Lancashire and that, where impact is unavoidable, appropriate mitigation is required of the developers as part of any planning permission.
- 8.3 The second risk is one where the examining Inspector is ultimately unable to find the Sefton Local Plan sound or legally compliant, e.g. because the Inspector considers that Sefton need to have a higher housing and / or employment land requirement, resulting in a need for more housing land. This situation would leave a void of planning policy in Sefton, particularly related to the delivery of sufficient land for housing or employment uses. This could have implications for West Lancashire in that, if Sefton could not identify sufficient land, they may ask neighbouring authorities to meet some of their development requirements.
- 8.4 While West Lancashire would not necessarily have to agree to meet any of Sefton's requirements, the Duty to Co-operate would mean that the Council would have to consider this request and support its response with robust evidence. Any such request from Sefton would certainly have implications for West Lancashire when it comes to preparing the next Local Plan for West Lancashire.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The Sefton Local Plan is a decision for Sefton Council and so the decision of West Lancashire Borough Council to make representation on this matter is unlikely to impact on those with protected characteristics under the Equality Act 2010 in West Lancashire. However, an EqlA has been prepared to inform Cabinet's decision and is provided at Appendix D.

Appendices

Appendix A – Proposed Representations from West Lancashire Borough Council on Publication version of the Sefton Local Plan

Appendix B – Proposed letter relating to the Duty to Co-operate from West Lancashire Borough Council to Sefton Council

Appendix C – Sefton Local Plan Policies Maps (colour copies available to Members on request or at www.sefton.gov.uk/localplan)

Appendix D – Equality Impact Assessment

Appendix E – Minute of Cabinet held on 17 March 2015 (Planning Committee only)

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1. Personal Details

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Email peter.richards@westlancs.gov.uk

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Is your representation [comment] on the Sefton Local Plan:

an objection a support a general comment

Do you consider the Sefton Local Plan is:

Legally compliant? Yes No Don't Know

'Sound'? Yes No Don't Know

If you think the Sefton Local Plan is not 'sound', is this because it is not:

Positively prepared Effective

Consistent with national policy Justified

You should choose the most appropriate category for your response in terms of whether it is legally compliant or 'sound'. Please see the note at the back of this form for guidance. Please set out in your detailed response the reasons for your choice. If you are not sure which to tick please leave this blank.

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Please set out your representation [including objections or comments in support] to the Sefton Local Plan. Please state clearly the relevant section, policy, paragraph, figure or site allocation that you are commenting on, using additional sheets if required. If you are submitting supporting information please list this here. Supporting information must also be submitted by 27 March 2015.

West Lancashire Borough Council (“the Council”) have concerns over the soundness of policy MN8 and the allocation of land to the north of Maghull / Lydiate at sites MN8.1 and MN2.28, in that the policy on safeguarded land and the allocations do not appear justified in the context of a Local Plan that is committed to an early review when the two allocations in question have such a harmful impact on the Green Belt.

Sites MN8.1 and MN2.28, if removed from the Green Belt and allocated, would, by Sefton Council’s own admission (see relevant site assessment forms), close the strategic Green Belt gap between Maghull and Aughton Village in West Lancashire by around 40%, reducing the gap to approximately 1 km. In addition, coupled with the Ashworth Hospital site further east (which, while previously developed, is also earmarked to be removed from the Green Belt), the release of this land from the Green Belt would create an area of Green Belt land between the A59 and the Ormskirk-Liverpool rail line that would ultimately become enclosed on three sides by the Maghull built-up area. As such, the new Green Belt boundary to the north of Maghull would not be a strong one, and, for the area of Green Belt remaining, would leave it very vulnerable to any proposals in the future to amend the Green Belt boundary. As such, by allocating sites MN2.28 and MN8.1, the Local Plan would effectively be facilitating the long-term (post-2030) expansion of Maghull northwards, significantly closing a strategic gap to settlements in West Lancashire.

The Council recognise that Green Belt boundaries are not sacrosanct and that, if exceptional circumstances exist, there can be justification for a Green Belt release such as that described above. However, the Council do not consider that such justification exists at this time given the fact that the Sefton Local Plan commits to an early review. Given this context, it is not necessary to include safeguarded land in this Local Plan, as the early review (carried out in the context of a wider Liverpool City Region evidence base and strategy on development needs) would be the better time to consider what land might be required after 2030 for development in Sefton.

Therefore, were policy MN8 to be deleted, site MN8.1 would immediately be removed from the Local Plan (allowing it to remain in the Green Belt), and site MN8.2 could be re-allocated as a housing allocation to replace site MN2.28, allowing MN2.28 to be removed from the Local Plan (and so remain in the Green Belt). This would be a far more satisfactory solution to the Council, given the limited harm to the Green Belt that site MN8.2 has, compared to MN2.28. The Council notes Sefton’s concerns regarding market saturation were MN8.2 brought forward for development in the Plan period (see site assessment for MN8.2) but it

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is the Council’s view that MN8.2 would create no greater competition than MN2.28 given that both are in the Maghull / Lydiate housing sub-market.

Were Sefton Council or the Inspector appointed to examine the Local Plan not to agree with the Council’s suggestion to delete Policy MN8 entirely, the Council would, at least, respectfully suggest that site MN2.28 could be swapped with site MN8.2 so that both the sites that the Council consider cause most harm to the Green Belt are only allocated as safeguarded land (while MN8.2 would become a full housing allocation), meaning that their status for development could still be reconsidered at the Early Review stage.

Please set out the changes you consider necessary to the Sefton Local Plan to address the comments made in the previous sections. You will need to say why this change will make the Local Plan legally compliant or ‘sound’. It would be helpful if you could suggest revised wording if appropriate. Please be as precise as possible. Use additional sheets if required.

Policy MN8 should be deleted from the Local Plan, together with site allocations MN8.1 and MN2.28. Site allocation MN8.2 should instead be re-allocated as a housing allocation under Policy MN2 to replace MN2.28.

Alternatively, if Policy MN8 is to remain in the Local Plan, MN2.28 should become a safeguarded site and MN8.2 should instead be re-allocated as a housing allocation under Policy MN2 to replace MN2.28.

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If your representation is seeking a change to the Sefton Local Plan, do you consider it necessary to participate in the examination hearing? (please note this will be at the discretion of the Inspector)

No, I do not wish to participate in the examination hearings X

Yes, I do wish to participate in the examination hearings

If you wish to participate in the examination hearings, please outline why you think this is necessary

Please indicate whether you wish to be notified of any of the future stages of the Sefton Local Plan:

When the Sefton Local Plan has been submitted for independent examination X

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The adoption of the Local Plan X

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West Lancashire Borough Council ("the Council") wish to express their support for the overarching strategy set out in chapter 4 of the Sefton Local Plan, in particular paragraphs 4.37 and 4.39-4.44 on p.26. The development requirements of 11,070 new dwellings and 84.5 ha of employment land over the Plan period are appropriate given the evidence available and what requirements have been adopted / proposed in adjacent authorities, including West Lancashire. The Council would especially support the strategy in that Sefton are seeking to meet their objectively-assessed development needs within their own boundaries, as all other authorities in the Liverpool City Region have thus far sought to do in their Local Plans. Related to this point, the Council can confirm that, at this time, it would not be appropriate to meet any element of Sefton's development needs in West Lancashire, given that the Sefton Local Plan identifies how these needs can be met within Sefton and the fact that West Lancashire's recent Green Belt Study identified that all but two parcels of land in West Lancashire's Green Belt continue to fulfil at least one purpose of the Green Belt, as set out in NPPF paragraph 80.

The Council also supports the wisdom of Sefton's commitment to an early review of their Local Plan, given the significant constraints on deliverable land for development within the borough and the lack of a wider Liverpool City Region evidence base and strategy at the current time on managing the development requirements (for both housing and employment land) associated with the potential economic growth in the City Region associated with the Atlantic Gateway and SuperPort proposals. For this reason, the Council would support Sefton's Local Plan in that it does not seek to allocate additional land for employment / port-related uses associated with the growth of the Port of Liverpool at this time, as the distribution of these facilities is a cross-boundary strategic matter that needs addressing in partnership with all City Region authorities when the appropriate evidence is available to ensure a sustainable and strategically planned approach to addressing the needs of this growth.

The Council, therefore, also supports the references within paragraphs 4.42-4.44 on p.26 of the Local Plan related to various sub-regional elements of work that West Lancashire are keen to see move forward and which will form part of the ongoing fulfilment of the Duty to Co-operate for the authorities in the City Region, including West Lancashire.

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West Lancashire Borough Council (“the Council”) are aware that there are a number of sites proposed to be allocated for both housing and employment in the Southport and Formby areas of Sefton in the Sefton Local Plan that are adjacent, or close, to the boundary with West Lancashire. While the Council does not wish to object to the allocation of those sites specifically, the Council is concerned that the Sefton Local Plan should be robust enough to ensure that the development of those sites specifically (and indeed the quantum of development overall in the Southport and Formby areas of Sefton) does not create traffic issues on the rural moss roads in the Western / Northern Parishes of West Lancashire and that flood risk is not exacerbated within West Lancashire as a result of those sites being developed.

There is a recognised issue of some vehicles travelling to / from the Southport and Formby areas seeking to avoid congestion at peak times and bank holidays on the A570 between Southport and the M58 (via Ormskirk) or on the route through Thornton to Switch Island by travelling across the rural moss roads in the Western / Northern Parishes of West Lancashire. These routes are minor in nature, often so narrow that two cars cannot pass each other except at occasional passing places, and are prone to heavy wear due to the ground conditions in these areas, and so are not appropriate for a large amount of traffic.

As such, the Sefton Local Plan must ensure that appropriate mitigation measures are implemented to limit traffic from using the rural moss roads and encourage use of more strategic routes, such as the A570. The Thornton-Switch Island Link road will help this issue, particularly relating to Formby, but it is vital that measures associated with the Southport eastern approach (A570 corridor) are delivered before, or alongside, new development in the Southport area to ensure that the vast majority of vehicles travelling to/from Southport across West Lancashire are encouraged to use the A570 and not the rural moss roads. Related to this, the Southport eastern approach (A570 corridor) is a strategic, cross boundary transport issue that should be referred to in the Duty to Co-operate statement, given the liaison between the Council, Sefton Council and Lancashire County Council on this matter in recent years.

Similarly, all developments associated with the allocations adjacent, or close, to the West Lancashire boundary in the Southport and Formby areas must be required to address flood risk issues, especially those allocations located within flood zones 2 or 3, and provide mitigation where necessary, to ensure that flood risk is not exacerbated across the border in West Lancashire.

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If your representation is seeking a change to the Sefton Local Plan, do you consider it necessary to participate in the examination hearing? (please note this will be at the discretion of the Inspector)

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Yes, I do wish to participate in the examination hearings

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Directorate of Transformation

John R Harrison DipEnvP, MRTPI
Assistant Director Planning

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Derek McKenzie
Interim Head of Planning Services
Sefton MBC
First Floor Magdalen House
Trinity Road
Bootle
L20 3NJ

Date: 23 March 2015
Your ref:
Our ref:
Please ask for: Peter Richards
Direct dial no: 01695 585046
Extension: 5046

Dear Derek

RE: Sefton Local Plan – Publication and the Duty to Co-operate

Thank you for inviting West Lancashire Borough Council to make representations on the Sefton Local Plan (Publication version). I enclose the agreed representations of West Lancashire Borough Council, which have also been inputted online via your website.

As well as the formal representations enclosed, the Council wishes to confirm its general support for the Duty to Co-operate Statement that was published alongside the Publication version of the Local Plan, and that, so far as West Lancashire is concerned, and subject to two amendments, the Council can confirm it is an accurate summary of the co-operation Sefton has undertaken with neighbouring authorities and other “prescribed” bodies and that, in this Council’s opinion, it demonstrates that Sefton Council have fulfilled the Duty to Co-operate in preparing their Local Plan.

The two specific amendments West Lancashire would like to see reflecting in the final Duty to Co-operate Statement submitted alongside the Local Plan are as follows:

- Southport Eastern Approach (A570 corridor)

Sefton Council have liaised with West Lancashire Borough Council and with Lancashire County Council (as the highways and transport authority covering West Lancashire) on this strategic, cross-boundary issue for several years and it is a matter of some importance given the level of development proposed in the Southport area and the current constraints and congestions issues on the A570 through the Western Parishes of West Lancashire and into Southport. One such example of co-operation on this matter has been the liaison and input on the West Lancashire Highways & Transport Masterplan prepared by Lancashire County Council. As such, the Duty to Co-operate Statement should refer to this matter, perhaps in relation to Framework Strategic Priority A, Issue 3 or Framework Strategic Priority C, Issue 2

Gill Rowe LL.B (Hons) Solicitor
Managing Director (People and Places)

Kim Webber B.Sc., M.Sc.
Managing Director (Transformation)

- Reference to Provision for Travellers

Framework Strategic Priority A, Issue 5 addresses Provision for Travellers and, while the Council can confirm that Sefton and West Lancashire Councils have co-operated on this issue, this section should be updated to reflect the recent correspondence on this matter between Sefton and West Lancashire.

The Council received a letter on 5 February 2015 from Sefton Council, in response to the Council's letter to Sefton Council of 14 January 2015 where the Council asked whether Sefton might be able to accommodate any of West Lancashire's identified need for Travellers. The Council accept Sefton Council's response on this matter (that Sefton would not be able to accommodate any of West Lancashire's Traveller needs) but this exchange of correspondence on a cross-boundary issue should be reflected in the Duty to Co-operate Statement.

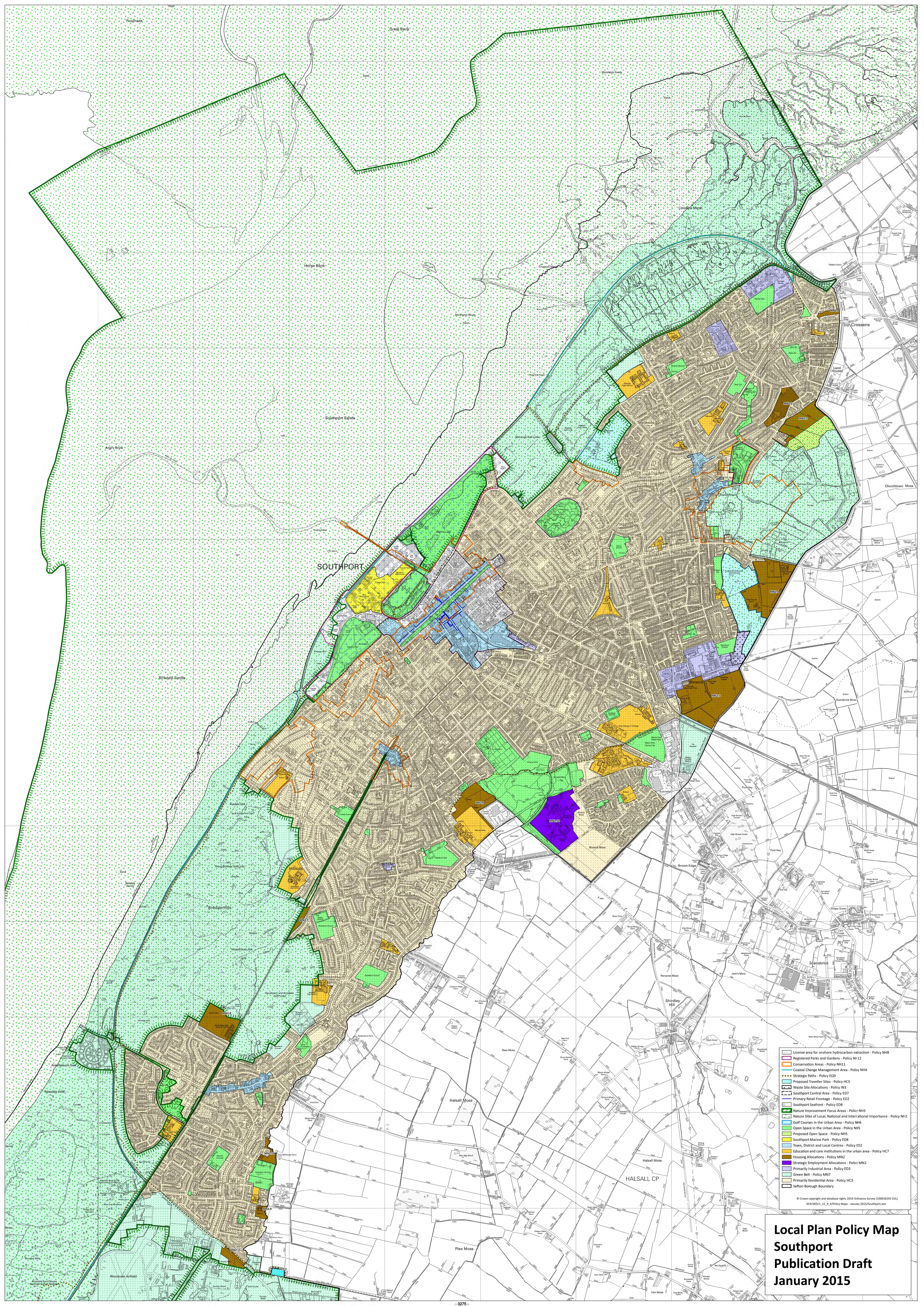
In addition, as a result, the statement regarding Traveller needs on p.22 of the Duty to Co-operate Statement that *"All the participating authorities have agreed that the identified need for each authority is suitable and achievable"* is now not entirely accurate for West Lancashire, as the Council cannot say with any certainty that the identified need for Travellers in West Lancashire is "achievable", given the lack of deliverable sites thus far put forward for Travellers in the preparation of the West Lancashire Provision for Travellers Sites DPD.

If you have any queries regarding our representations or our comments on the Duty to Co-operate Statement, please do not hesitate to get in touch with me or Peter Richards.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Harrison', with a long horizontal flourish extending to the right.

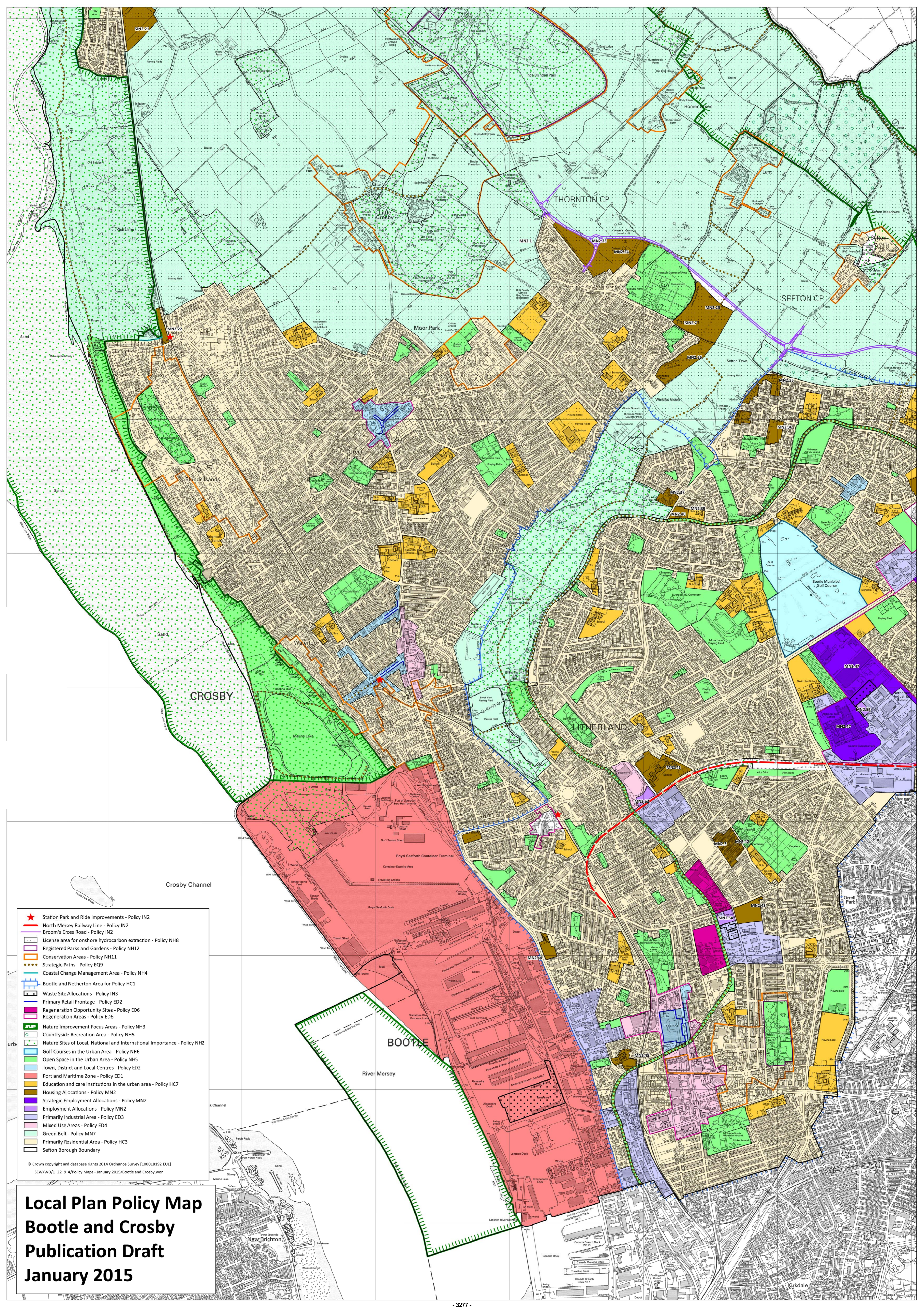
John Harrison
Assistant Director Planning



- License area for onshore hydrocarbon extraction - Policy NH8
- Registered Parks and Gardens - Policy NI-12
- Conservation Areas - Policy NH11
- Coastal Change Management Area - Policy NH4
- Strategic Paths - Policy ED9
- Proposed Traveller Sites - Policy HCS
- Waste Site Allocations - Policy IN3
- Southport Central Area - Policy ED7
- Primary Retail Frontage - Policy ED2
- Southport Seafont - Policy ED8
- Nature Improvement Focus Areas - Policy NH3
- Nature Sites of Local, National and International Importance - Policy NH2
- Golf Courses in the Urban Area - Policy NH6
- Open Space in the Urban Area - Policy NH5
- Proposed Open Space - Policy NH5
- Southport Marine Park - Policy ED8
- Town, District and Local Centres - Policy ED2
- Education and care institutions in the urban area - Policy HCS
- Housing Allocations - Policy MN2
- Strategic Employment Allocations - Policy MN2
- Primarily Industrial Area - Policy ED3
- Green Belt - Policy MN7
- Primarily Residential Area - Policy HC3
- Sefton Borough Boundary

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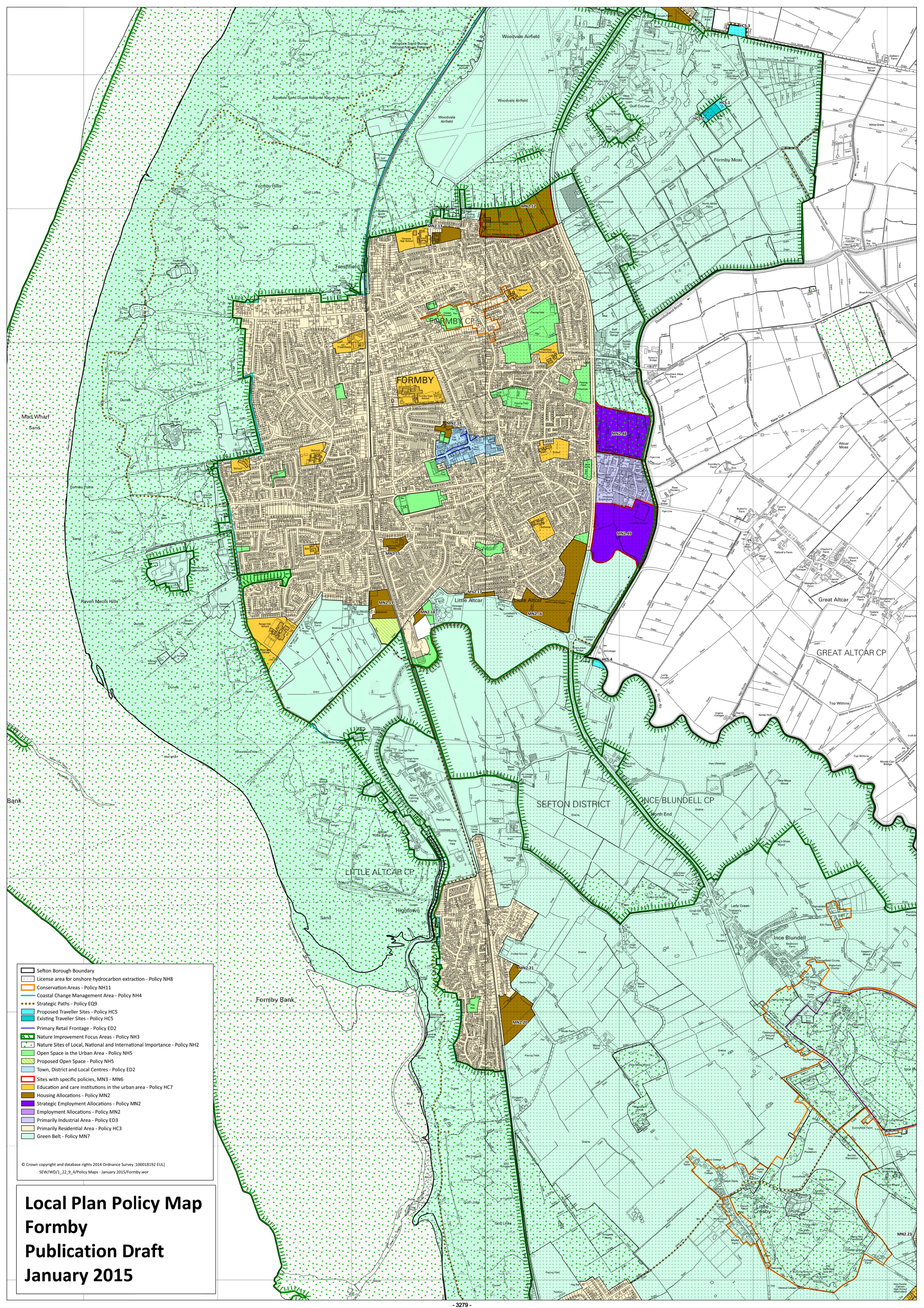
**Local Plan Policy Map
 Southport
 Publication Draft
 January 2015**



- ★ Station Park and Ride improvements - Policy IN2
- North Mersey Railway Line - Policy IN2
- Broom's Cross Road - Policy IN2
- License area for onshore hydrocarbon extraction - Policy NH8
- Registered Parks and Gardens - Policy NH12
- Conservation Areas - Policy NH11
- Strategic Paths - Policy EQ9
- Coastal Change Management Area - Policy NH4
- Bootle and Netherton Area for Policy HC1
- Waste Site Allocations - Policy IN3
- Primary Retail Frontage - Policy ED2
- Regeneration Opportunity Sites - Policy ED6
- Regeneration Areas - Policy ED6
- Nature Improvement Focus Areas - Policy NH3
- Countryside Recreation Area - Policy NH5
- Nature Sites of Local, National and International Importance - Policy NH2
- Golf Courses in the Urban Area - Policy NH6
- Open Space in the Urban Area - Policy NH5
- Town, District and Local Centres - Policy ED2
- Port and Maritime Zone - Policy ED1
- Education and care institutions in the urban area - Policy HC7
- Housing Allocations - Policy MN2
- Strategic Employment Allocations - Policy MN2
- Employment Allocations - Policy MN2
- Primarily Industrial Area - Policy ED3
- Mixed Use Areas - Policy ED4
- Green Belt - Policy MN7
- Primarily Residential Area - Policy HC3
- Sefton Borough Boundary

Local Plan Policy Map
Bootle and Crosby
Publication Draft
January 2015

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- Sefton Borough Boundary
- License area for onshore hydrocarbon extraction - Policy NH8
- Conservation Areas - Policy NH11
- Coastal Change Management Area - Policy NH4
- Strategic Paths - Policy EQ9
- Proposed Traveller Sites - Policy HCS
- Existing Traveller Sites - Policy HCS
- Primary Retail Frontage - Policy ED2
- Nature Improvement Focus Areas - Policy NH3
- Nature Sites of Local, National and International Importance - Policy NH2
- Open Space in the Urban Area - Policy NH5
- Proposed Open Space - Policy NH5
- Town, District and Local Centres - Policy ED2
- Sites with specific policies, MN3 - MN6
- Education and care institutions in the urban area - Policy HC7
- Housing Allocations - Policy MN2
- Strategic Employment Allocations - Policy MN2
- Employment Allocations - Policy MN2
- Primarily Industrial Area - Policy ED3
- Primarily Residential Area - Policy HC3
- Green Belt - Policy MN7

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 SEW/WD/1_22_9_4/Policy Maps - January 2015/Formby.wor

Local Plan Policy Map

Formby

Publication Draft

January 2015

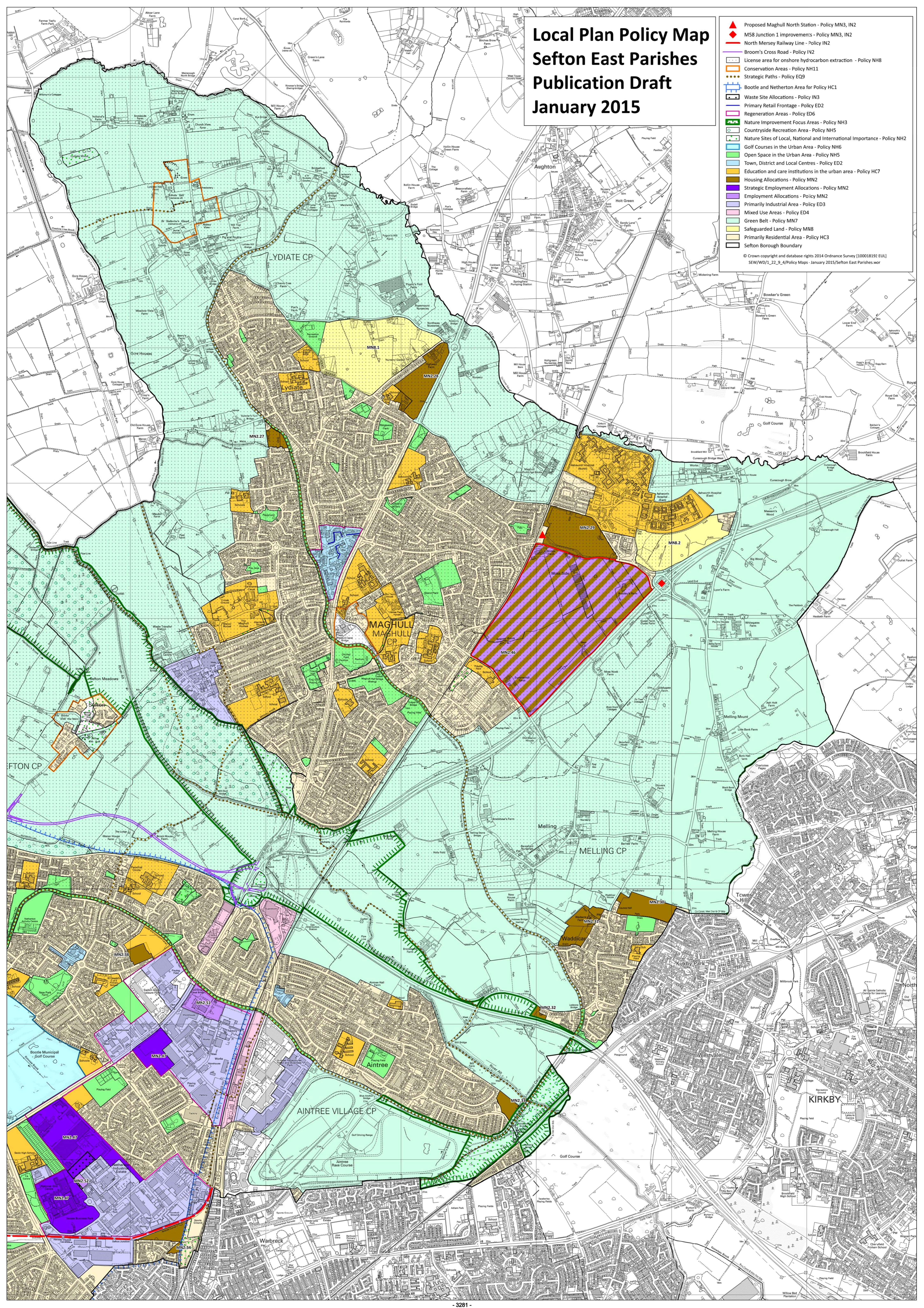
Local Plan Policy Map

Sefton East Parishes

Publication Draft

January 2015

- ▲ Proposed Maghull North Station - Policy MN3, IN2
 - ◆ M58 Junction 1 Improvements - Policy MN3, IN2
 - North Mersey Railway Line - Policy IN2
 - Broom's Cross Road - Policy IN2
 - License area for onshore hydrocarbon extraction - Policy NH8
 - Conservation Areas - Policy NH11
 - Strategic Paths - Policy EQ9
 - Bootle and Netherton Area for Policy HC1
 - Waste Site Allocations - Policy IN3
 - Primary Retail Frontage - Policy ED2
 - Regeneration Areas - Policy ED6
 - Nature Improvement Focus Areas - Policy NH3
 - Countryside Recreation Area - Policy NH5
 - Nature Sites of Local, National and International Importance - Policy NH2
 - Golf Courses in the Urban Area - Policy NH6
 - Open Space in the Urban Area - Policy NH5
 - Town, District and Local Centres - Policy ED2
 - Education and care institutions in the urban area - Policy HC7
 - Housing Allocations - Policy MN2
 - Strategic Employment Allocations - Policy MN2
 - Employment Allocations - Policy MN2
 - Primarily Industrial Area - Policy ED3
 - Mixed Use Areas - Policy ED4
 - Green Belt - Policy MN7
 - Safeguarded Land - Policy MN8
 - Primarily Residential Area - Policy HC3
 - Sefton Borough Boundary
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SEW/WD/1_22_9_4/Policy Maps - January 2015/Sefton East Parishes.wor



Equality Impact Assessment Form



Directorate: Transformation	Service: Planning
Completed by: Peter Richards	Date: 06/02/15
Subject Title: Sefton Local Plan – Publication Stage	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No
Details of the matter under consideration:	The approval of representations to be submitted to Sefton Council on the Sefton Local Plan.
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	The Sefton Local Plan primarily affects residents of Sefton and businesses operating in Sefton, however there will be some impacts on some residents and businesses in West Lancashire. The representations proposed to be submitted by the Council to Sefton Council would minimise the impacts on West Lancashire residents and businesses if they are addressed by Sefton or the Examining Planning

	Inspector.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	No No No No No No No No No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	The representations proposed for submission by the Council would affect those residents and businesses who are based close to the boundary with Sefton or who regularly travel to Sefton (in particular Southport).
What will the impact of the work being carried out be on usage / the stakeholders?	If the Council's concerns are fully addressed, the impact on these residents and businesses will be reduced.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	N/A
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Census data for the Borough has been utilised, together with technical evidence for the Local Plan and for transport-related matters.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Minimal, if any, impact.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why	N/A

this is the case (e.g. legislative or financial drivers etc.).	
What actions do you plan to take to address any other issues above?	No action.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	This assessment will be reviewed if the Sefton Local Plan is brought before Members for consideration again in the future.



AGENDA ITEM: 5(e)

**PLANNING COMMITTEE:
26 February 2015**

CABINET: 17 March 2015

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Ian Bond (Extn. 5167)
(e-mail: ian.bond@westlancs.gov.uk)

**SUBJECT: ARTICLE 4(2) DIRECTIONS - FULWOOD AND DOUGLAS AVENUE
CONSERVATION AREA, TARLETON AND JUNCTION LANE
CONSERVATION AREA, BURSCOUGH.**

Wards affected: Burscough East and Tarleton

1.0 PURPOSE OF THE REPORT

1.1 To authorise the making of new Article 4(2) Directions in Fulwood and Douglas Avenue Conservation Area, Tarleton and Junction Lane Conservation Area, Burscough.

2.0 RECOMMENDATIONS TO PLANNING COMMITTEE

2.1 That support is given to the Article 4 (2) Directions in both Fulwood and Douglas Avenue Conservation Area and Junction Lane Conservation as identified in Appendices A, B and C appended to this report.

3.0 RECOMMENDATIONS TO CABINET

3.1 That the Article 4(2) Directions in Fulwood and Douglas Avenue Conservation Area and Junction Lane Conservation, as identified in Appendices A, B and C appended to this report, are approved.

3.2 That the Assistant Director Planning issue the Article 4(2) Directions, carry out the notification and relevant consultations referred to in paragraph 6.1 and report back to a future Cabinet to confirm the Directions.

4.0 BACKGROUND

- 4.1 The Borough Council has a duty under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review, from time to time, its Conservation Area designations, and under Section 71 of this Act to formulate and publish proposals for the preservation and enhancement of these areas. Conservation area appraisals aim to identify and re-affirm the special architectural or historic interest of conservation areas, clarify any issues relating to boundaries and identify ways to strengthen their commitment to manage the historic environment.
- 4.2 Under existing planning legislation householders in Conservation Areas are able to undertake alterations to properties without requiring planning permission. These 'permitted development' alterations including changing doors and windows, making changes to roofs, erecting a porch, laying down new areas of hardstanding and the erection/demolition of certain fences and walls would not normally come under planning controls. It is recognised that poorly designed and unsympathetic minor alterations can have a cumulative negative effect in Conservation Areas, ultimately undermining their character and appearance and putting their designation at risk.
- 4.3 English Heritage in its good practice guidance (Understanding Place: Conservation Area Designation, Appraisal and Management 2011), identify that Article 4 (2) Directions, where justified, are an important tool in preserving the character and appearance of conservation areas. Article 4(2) Directions, in this respect, can be an effective tool in the management of Conservation Areas, especially in those areas that still have a high degree of intact historic features.

5.0 CURRENT POSITION - PROPOSALS

- 5.1 Conservation area character appraisals for both Fulwood and Douglas Avenue Conservation Area and Junction lane Conservation Area were approved by Cabinet on the 11th November 2014. In both areas the boundary of the conservation area was amended to include new areas/properties. These newly designated areas currently fall outside the coverage of the existing Article 4(2) Directions. The appraisals and their recommendations were open to public consultation with the residents of both the Conservation Areas.
- 5.2 Conservation areas which are largely composed of unlisted dwellings are particularly vulnerable to change through work carried out under 'permitted development rights'. Whilst this in most cases will be well meaning renovation or home improvements the incremental and cumulative nature of the changes can harm an areas character and appearance. Both Fulwood and Douglas Avenue Conservation Area and the Junction Lane Conservation Area are predominantly residential in use.

- 5.3 It is proposed that the Article 4(2) Directions should match the new boundaries of the Conservation Areas in both cases. These changes are set out below in paragraphs 5.5 – 5.6 below and shown on the plans attached to this report in Appendix A and B. New Article 4(2) Directions will be made in respect of the revised boundaries and the existing Article 4(2) Directions will remain in situ.”
- 5.4 Article 4(2) Directions can restrict the permitted development rights of property owners to alter windows, doors or roofs, remove chimneys, erect porches, create new areas of hardstanding, erect or demolish walls and paint the exterior of a building. These restrictions only apply to the parts of dwellings that front onto a “relevant location” i.e. a highway, waterway or open space.
- 5.5 No’s 242 and 244 Hesketh Lane within Fulwood and Douglas Avenue Conservation Area are prominent, traditional properties dating from between 1911-1931. Both properties display many of the same key building characteristics of the properties in Fulwood and Douglas Avenue. The proposed Article 4(2) boundary covering No.242 and 244 Hesketh Lane is shown on the attached plan – see Appendix A. In this instance given the fact that there is a commonality in architectural features it is felt that the Article 4(2) Direction covering the two properties should mirror that already in place in the rest of the Conservation Area. The proposed restrictions in the permitted development rights imposed by the Article 4(2) Direction are detailed in Appendix C appended to this report.
- 5.6 The amended Conservation Area boundary in Junction Lane Conservation Area now includes a section of decorative garden wall which incorporates an attractive terracotta balustrade which lies in front of No 1b Junction Lane and to the side of 1a Junction Lane. The wall sitting behind the road frontage is a remnant from the former larger garden area to the Victorian house at No.1 Junction Lane. The character and/or appearance of the Conservation Area would be threatened by the removal of the wall (or partial removal), the erection of new boundary treatments and the effect from providing new areas of parking or hardstanding. Therefore it is proposed to limit the permitted development rights relating to these aspects only. Details of the restrictions are found in Appendix C.
- 5.7 It is important to stress that the effect of the Directions is not that development cannot be carried out, but that it requires the property owner to apply to the authority for planning permission to do so. This does not necessarily mean that a local planning authority would refuse permission for specified works, but that it retains control over the design and detailing of the works, and the ability to grant permission subject to appropriate conditions.
- 5.9 It is worth noting that planning applications to the authority made only because of the existence of an Article 4(2) Direction have no fee payable.

6.0 NEXT STEPS - PROCEDURE

- 6.1 Subject to approval, the Assistant Director Planning will make the Article 4(2) Directions, publish the relevant notices and notify affected owners and occupiers

together with Lancashire County Council. In both conservation areas the Direction will have immediate effect on the date the notice of the Direction is served on the occupiers, or if there are no occupiers, the owners. If the Council does not confirm the Direction within six months following the date it came into force, the Direction will expire and have no effect.

- 6.2 A further report will be made to Members in due course to consider confirmation of the Directions in light of any representations received.”

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

8.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 8.1 There are no significant financial or resource implications arising from this report. However there are circumstances in which local authorities may be liable to pay compensation having made an Article 4 (2) Direction, although the potential liability is limited by time limits that apply.
- 8.2 For most development any claims for compensation can only be made within 12 months following the effective confirmation date of the Direction. Compensation in all cases can only be claimed for abortive expenditure or other loss or damage caused by the removal of the permitted development rights. In this case given the fact that the coverage of the proposed Article 4 (2) Directions in both cases is limited the risks, whilst still present, are very limited.

9.0 RISK ASSESSMENT

- 9.1 Whilst there are not considered to be any significant risks involved in applying the Article 4(2) Directions proposed in this report an assessment of the potential risks involved is attached in Appendix D.
- 9.2 Article 4(2) Directions provide planning controls over the impacts of minor development on the character and appearance of Conservation Areas. Failure to apply the Article 4(2) Directions weakens our management of these historic areas and risks the Authority not fulfilling its duty to preserve the historic character and appearance of both Conservation Areas.

Background Documents

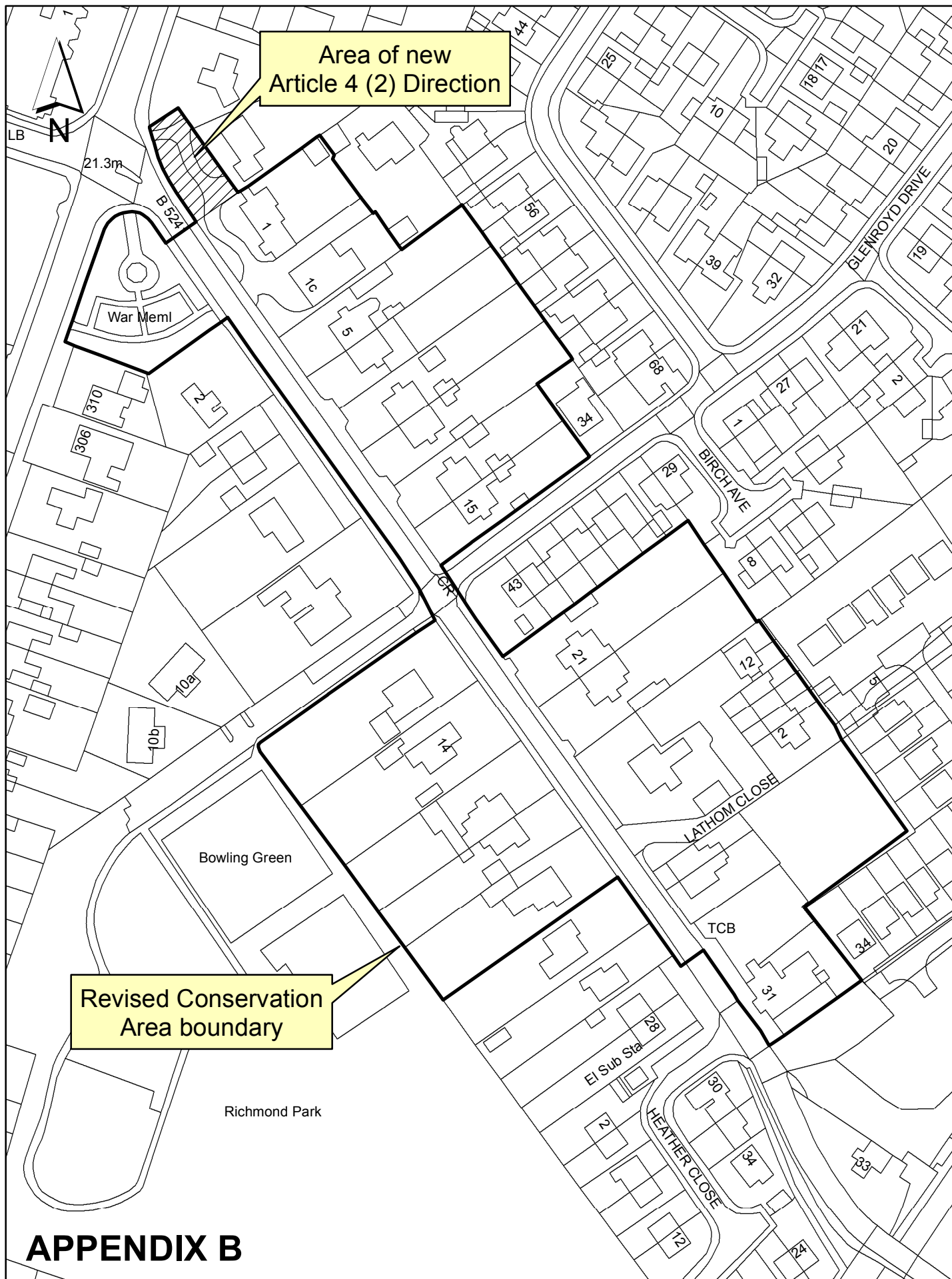
There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account when undertaking the actions detailed within this article.

Appendices

- Appendix A – Plan of new Article 4(2) Direction relating to Fulwood and Douglas Avenue Conservation Area.
- Appendix B - Plan of new Article 4(2) Direction relating to Junction Lane Conservation Area.
- Appendix C – Article 4(2) Direction controls
- Appendix D - Potential risks or threats report
- Appendix E – Equality Impact Assessment
- Appendix F - Minute of Planning Committee 26 February 2015 (Cabinet only)



Area of new Article 4 (2) Direction

Revised Conservation Area boundary

APPENDIX B

APPENDIX C

Article 4(2) Directions

Fulwood and Douglas Avenue Conservation Area - Tarleton

Element of Article 4(2) Direction	Importance in the context of the Fulwood Avenue/Douglas Avenue Conservation Area
Erection, alteration or removal of a chimney on dwelling or building in curtilage.	These features are important in the context of the buildings in this Conservation Area, particularly those identified as being important unlisted buildings.
Enlargement, improvement or other alteration of a dwelling.*	Strong justification is required to remove this particular right and the Council feels that it is justified in respect of this Conservation Area.
Alteration of dwelling roof.*	Alteration to inappropriate roof materials in this Conservation Area would severely affect its character as the slate and red tiled roofs are distinctive features.
Erection/construction of a porch outside any external door.*	Such development would have a major effect on the character of the area.
Provision within curtilage of a building, enclosure, swimming or other pool incidental to the enjoyment of the dwelling or required for the maintenance, improvement or alteration of building or enclosure.*	The provision of such features which do not currently require planning permission would have a great effect upon this particular Conservation Area.
Creation of hard surfaces within the curtilage of a house incidental to its enjoyment.*	The introduction of hard surfaced areas in a couple of cases has already affected the character of this Conservation Area and future control should be exercised.
Installation, alteration or replacement of satellite antenna on house or curtilage.*	Satellite antenna will need to be controlled to ensure that they are correctly sited.
Erection or demolition of gates, fences, walls or other means of enclosure within the curtilage.*	Boundary hedgerows are particularly important features in this Conservation Area and control is required over their replacement by walls.
Painting of a dwelling or building or enclosure within the curtilage.*	Inappropriate painting of the buildings would affect the character of the Conservation Area.

Junction Lane Conservation Area - Burscough

Element of Article 4 (2) Direction.	Importance in the context of the Junction Lane Conservation Area
Creation of hard surfaces within the curtilage of a house incidental to its enjoyment.*	The introduction of hard surfaced areas within the frontage of the property could severely affect the character of this conservation area - particularly the garden setting of the wall in front of 1a/1b
Erection or demolition of gates, fences, walls or other means of enclosure within the curtilage.*	To protect this important feature from alteration or removal for additional parking or garden space.

* In respect of these developments a direction only relates to those developments fronting a highway, a waterway or an open space (defined as any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground). In the case of an extension, if any part such as the side fronts the highway etc. then this will be covered.

APPENDIX D – Potential risks or threats report

Fulwood and Douglas Avenue Conservation Area

Article 4 (2) Direction restriction	Current situation	Implications of Article 4(2) Direction	Risks from compensation claim High/medium/low/NA
Erection, alteration or removal of a chimney on dwelling or building in curtilage.	<p>242 Hesketh Lane has two tall feature brick chimneys, one with intact chimney pots.</p> <p>244 Hesketh Lane has two smaller intact brick chimneys complete with chimney pots.</p>	<p>These chimneys should be retained</p> <p>These chimneys should be retained</p>	<p>Low – effect on value probably minimal</p> <p>Low - effect on value probably minimal</p>
Enlargement, improvement or other alteration of a dwelling	<p>242 Hesketh Lane – no extensions at present. Some UPVC at first floor level, but feature bow/bay windows on ground floor remain wooden. Wooden front door.</p> <p>244 Hesketh Lane – no extensions at present. Most windows at front have been replaced with UPVC but some ground floor windows retain leaded light detailing to upper lights. UPVC front door.</p>	Further loss of original wooden windows should be resisted. Where they have been lost, we should seek improvements in any replacements, using originals elsewhere within the area as the basis.	<p>Some loss has already occurred reducing the risk from further changes. Effect on value minimal.</p> <p>Low due to changes already undertaken.</p>
Alteration of dwelling roof	242 Hesketh Lane has an original 'rosemary red' tile roof.	Original roof coverings should be retained.	Low to medium.

Article 4 (2) Direction restriction	Current situation	Implications of Article 4(2) Direction	Risks from compensation claim High/medium/low/NA
	244 Hesketh Lane has an original slate roof.	Original roof coverings should be retained.	Low to medium.
Erection/construction of a porch outside any external door	<p>242 Hesketh Lane has an original flat-roofed porch to the side elevation entrance to the property. No porch to the front entrance.</p> <p>244 Hesketh Lane has an original porch to the front elevation.</p>	<p>Addition of a porch would not be ruled out, providing the design was sympathetic.</p> <p>244 has an existing porch, therefore this shouldn't be too much of an issue.</p>	<p>Low</p> <p>Low – already has a porch</p>
Provision within curtilage of a building, enclosure, swimming or other pool incidental to the enjoyment of the dwelling or required for the maintenance, improvement or alteration of building or enclosure	<p>242 Hesketh Lane currently has a modest garage set to the side/rear of the property.</p> <p>244 Hesketh Lane has a number of small wooden outbuildings.</p>	Provision of subservient buildings not ruled out – dependent on location and scale.	Low – unlikely to be an issue as Article 4 controls works on frontage.
Creation of hard surfaces within the curtilage of a house incidental to its enjoyment	242 Hesketh Lane has a substantial paved area to the front and side of the property sufficient for several cars screened by a front hedge and garden border which acts as a landscaping buffer.	Both properties have a substantial amount of hard standing – sufficient for providing off-road parking for a family, taking into consideration the size of the properties. Would resist further loss of garden areas which provide some degree of a garden setting.	Low – both properties already have substantial drives.

Article 4 (2) Direction restriction	Current situation	Implications of Article 4(2) Direction	Risks from compensation claim High/medium/low/NA
	244 Hesketh Lane has a block paved driveway to the front and side of the property, sufficient for 2 cars.		Low – both properties already have substantial drives.
Installation, alteration or replacement of satellite antenna on house or curtilage	242 Hesketh Lane – none in evidence on front or side elevations. 244 Hesketh Lane - none in evidence on front or side elevations.	Restrictions already exist via Planning on front elevations in Conservation Areas	NA
Erection or demolition of gates, fences, walls or other means of enclosure within the curtilage	242 Hesketh Lane – Hedge to front boundary. 244 Hesketh Lane – front boundary partially fenced with wide opening for vehicle access	Encourage retention of front hedge. Existing concrete and wood panel fence a negative feature. Would encourage replacement with hedging or simple low wood panel fence.	Low
Painting of a dwelling or building or enclosure within the curtilage	The exterior roughcast of both properties has been painted white/off white – an appropriate colour.	Encourage retention of existing colour palette.	Low

Junction Lane Conservation Area

Article 4 (2) Direction restriction	Current situation	Implications of Article 4(2) Direction	Risks from compensation claim High/medium/low/NA
Creation of hard surfaces within the curtilage of a house incidental to its enjoyment	Both 1a and 1b Junction Lane have a paved area to the front and side of the property sufficient for approx. 2 cars. No.1b also has a garage.	Both properties have a substantial amount of hard standing – sufficient for providing off-road parking for a family, taking into consideration the size of the properties. We would resist further loss of garden areas which provide some degree of a garden setting.	Low
Erection or demolition wall, gates or fences, or other means of enclosure within the curtilage	Surviving garden wall feature – this is the remaining evidence of the large pleasure gardens which originally belonged to no.1 Junction Lane.	This wall with balustrade feature should be retained.	Low – minimal effect on value

Equality Impact Assessment Form



Directorate: Transformation	Service: Planning
Completed by: ian Bond	Date: 06/02/2014
Subject Title:	
ARTICLE 4(2) DIRECTIONS - FULWOOD AND DOUGLAS AVENUE CONSERVATION AREA, TARLETON AND JUNCTION LANE CONSERVATION AREA, BURSCOUGH.	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No <i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	To consider the approval of new Article 4(2) Directions in Fulwood and Douglas Avenue Conservation Area and Junction Lane Conservation Area.
<i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups:	

<i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Residents of the Conservation Areas affected by inclusion in the Article 4(2) Direction.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	<i>*delete as appropriate</i> No No No No No No No No No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	N/A
What will the impact of the work being carried out be on usage/the stakeholders?	The Article 4(2) Directions add a further layer of planning restrictions on the properties affected. Consultation with residents affected by the proposals will be undertaken and comments taken into account prior to the Council confirming the direction.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	This work follows on from an extensive public consultation exercise relating to the adoption of Conservation Area Appraisals for the two conservation areas.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	The proposals have been informed by the results/evidence provided by the Conservation Area Appraisal work.

If any further data/consultation is needed and is to be gathered, please specify:	Under the procedures this will be carried out post decision and a further report produced within 6 months.
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Article 4 directions remove permitted development rights from homeowners and therefore can have a negative impact on those residents. However the work is justified by the duty to preserve the character and appearance of conservation areas. This work helps the Council fulfil that duty.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	Homeowners affected by the Directions have the opportunity to apply for planning permission (and in some instances obtain compensation).
What actions do you plan to take to address any other issues above?	N/A <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	We have a general duty to review conservation areas from time to time. We currently have a program to review conservation areas.

APPENDIX F

Agenda Item 5(e)

Article 4(2) Directions – Fulwood and Douglas Avenue Conservation Area, Tarleton and Junction Lane Conservation Area, Burscough

MINUTE OF PLANNING COMMITTEE HELD ON 26 FEBRUARY 2015

71. ARTICLE 4(2) DIRECTIONS - FULWOOD AND DOUGLAS AVENUE CONSERVATION AREA, TARLETON AND JUNCTION LANE CONSERVATION AREA, BURSCOUGH

Consideration was given to the report of the Assistant Director Planning as contained on pages 1933 to 1944 of the Book of Reports the purpose of which was to authorise the making of new Article 4(2) Directions in Fulwood and Douglas Avenue Conservation Area, Tarleton and Junction Lane Conservation Area, Burscough.

RESOLVED: That support is given to the Article 4(2) Directions in both Fulwood and Douglas Avenue Conservation Area and Junction Lane Conservation Area as identified in Appendices A, B and C appended to the report.



AGENDA ITEM: 5(f)

CABINET: 17 March 2015

Report of: Assistant Director Planning

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor M Forshaw

Contact for further information: Helen Hatch (Ext. 5171)
(e-mail: helen.hatch@westlancs.gov.uk)

SUBJECT: SKELMERSDALE & UP HOLLAND (RE)CYCLE TO WORK SCHEME

Wards affected: All Skelmersdale Wards and the wards of Up Holland, Wrightington and Bickerstaffe

1.0 PURPOSE OF THE REPORT

1.1 To inform Members of the progress made with the (re)Cycle to Work scheme, which provides job seekers with reconditioned bicycles to enable them to travel to employment.

2.0 RECOMMENDATIONS

- 2.1 That the success of the pilot scheme be noted and the scheme to be continued.
- 2.2 That delegated authority be granted to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning & Development, to review and as required, amend the terms of the scheme, including membership criteria and operational management.
- 2.3 That S106 money from the Walkers (Pimbo) development continues to be used to support this service.

- 2.4 That S106 money from Maple View is used to extend the (re)Cycle to Work scheme to serve the White Moss Business Park.
-

3.0 BACKGROUND

- 3.1 In order to help improve connectivity and help those seeking employment in Skelmersdale to access work, the Borough Council has been developing a range of options to help link residential and employment areas, utilising available S106 funds. To date, these options have included provision or improvements to cycle/footpaths and the setting up of a Demand Responsive Transport Service (DRTS). (The DRTS provides a pre-bookable, subsidised taxi service to provide an affordable means of travel to the Pimbo employment area.)
- 3.2 In November 2013, Cabinet approved a (re)Cycle to Work scheme, whereby job seekers could apply for a grant to assist them to purchase a reconditioned bicycle, from a nominated supplier, to help them access employment. Due to limitations incurred from the conditions on the S106 funding source, the scheme was restricted to those trying to reach employment on the Pimbo Employment Area.
- 3.3 In order to ensure bicycles are provided to those with a genuine need, an eligibility criteria was put in place, reflecting the criteria used in the DRTS scheme. To be eligible for the scheme, applicants are required to live in the Skelmersdale/Up Holland area (see Appendix A), work or have an offer of employment on the Pimbo Employment Estate, earn under £17,500 per annum and not have access to private transport.
- 3.4 Applicants were to be referred to the scheme by Job Centre Plus or private recruitment companies and must submit an application form to the Council to have their eligibility checked. Upon membership approval, an order is raised with the bicycle supplier to purchase a reconditioned bicycle, and the applicant is informed when they can collect the bicycle. Bicycles are supplied with safety equipment, at a cost of £50 each. The bicycles conform to the relevant British Standards.
- 3.5 Only one grant per person is available to purchase a bicycle (enforced through the requirement of photo identification). Bicycles are then the property of the employee and they are responsible for maintenance/upkeep and security. No additional grants will be given for bicycles that become damaged or are stolen.
- 3.6 Cabinet requested that an update be provided on the scheme following its 9-month pilot.

4.0 CURRENT POSITION

- 4.1 Since Cabinet approval, the Council have appointed Skelmersdale company **Exsel** as the nominated bicycle supplier and put in place the necessary administrative procedures required to operate the scheme. The (re)Cycle to Work scheme went live on 1 June 2014.
- 4.2 To date, the Council have had 14 applications for reconditioned bicycles. Of which, one was refused due to the applicant working outside of the Pimbo employment area and two were not collected as a result of the applicants' changing circumstances. Six bicycles have been collected. Five of the applications have recently been approved and bicycles await collection.
- 4.3 The November 2013 Cabinet report estimated the costs of the (re)Cycle to Work scheme based upon take up of the DRTS at the time – which had 248 members. Assuming that the cycle scheme had the same level of demand, it estimated the annual running cost of the cycle scheme would be £9,920 although caveated that expectations would be that take-up levels would be far lower (cycling may not appeal to all people and in winter months bicycle usage generally reduces).
- 4.4 In the first 9 months of the scheme, there have just been 13 approved applications and only six bicycles collected. Current costs for 2014/15, based on the *collected* bicycles, stand at £300. Assuming that the five remaining bicycles are collected in 2014/15, and accounting for a small number of further applications, it is anticipated that the first years cost would be approximately £750.
- 4.5 Clearly, the take-up of the cycle scheme has been significantly lower than hoped for. To try and kick start the scheme, officers contacted local employers and offered them the opportunity to directly refer their employees to the scheme, in addition to the referrals from job recruitment agencies. Despite this marketing, uptake of the scheme has remained limited.
- 4.6 Following the changes to the membership of the DRTS in 2014, those exiting the DRTS were advised that they could apply for the (re)Cycle to Work scheme. Whilst 313 people have registered on the DRTS, and most of those since left, the (re)Cycle to Work has had just 13 approved applications. This is just 4% of the DRTS take-up, and perhaps suggests a reluctance by people to use bicycles to get to work.
- 4.7 Nevertheless, the scheme is considered to be of value – it recycles bicycles, provides local employment, supports sustainability, improves the environment, promotes health and exercise and facilitates access to employment. S106 money remains available to fund and sustain the scheme.
- 4.8 It is therefore considered that the scheme should continue, but a series of initiatives will be explored to encourage greater take-up of the scheme. Proposals include increasing the salary cap from £17,500 to £25,000 per annum to extend the service to a greater number of employees, and removing the condition relating to car ownership in order to encourage the take-up of sustainable transport methods. The focus therefore becomes on encouraging

sustainability as well as providing access to employment. This is in keeping with the stipulations of the planning obligation and it is hoped that these changes may generate some further uptake. Officers will also explore potential revisions to the scheme to improve the aesthetic quality of the bicycles, whether the scheme can offer financial grants to enable employees to purchase new, discounted bicycles at cycle stores, and improved marketing of the scheme.

- 4.9 Unfortunately, the restrictions of the S106 agreements involved mean that the scheme cannot be extended to other employment areas of Skelmersdale or the wider Borough. Use of S106 monies must be geographically linked to the location of the development from which they stemmed.
- 4.10 However, appropriate monies (£14,056) are available from the S106 at Maple View which would enable the scheme to be extended to serve the White Moss employment area, and it is recommended that such monies are used to try and expand the take up of the (re)Cycle to Work scheme.
- 4.11 It is therefore recommended that the scheme continues, but that delegated authority is granted to the Assistant Director Planning, in consultation with the Portfolio Holder for Planning & Development, to review and as required, amend the terms of the scheme, including membership criteria and operational management to improve the performance of the scheme.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 Subject to its on-going success, the (re)Cycle to Work scheme should meet many of the aims of the Sustainable Community Strategy. It will assist in getting people to work and will reduce the use of private cars and therefore reduce the amount of carbon emitted. Thus it will have economic, environmental and social benefits.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The continuation of the scheme can be funded through existing S106 monies specifically acquired for provision of sustainable transport initiatives such as this scheme.

7.0 RISK ASSESSMENT

- 7.1 Some of the Section 106 funding is ring-fenced specifically for improvements to sustainable transport within Skelmersdale and contractually will have to be returned to developers if not spent within a set timescale for schemes such as the (re)Cycle to Work scheme.

Background Documents

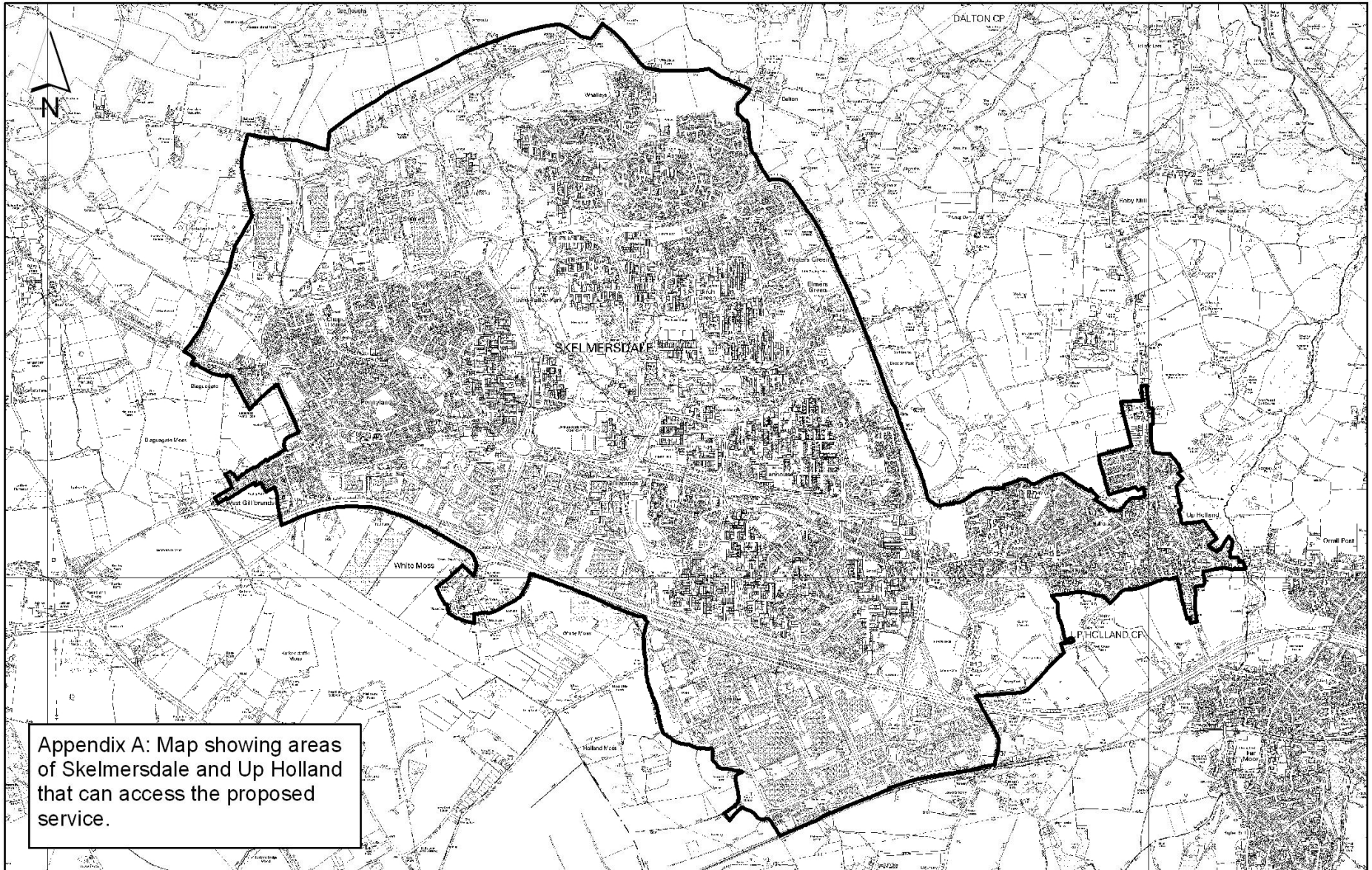
There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Article.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account when undertaking the actions detailed within this article.

Appendices

Appendix A- Map showing the areas that can access the proposed scheme
Appendix B – EIA



Appendix A: Map showing areas of Skelmersdale and Up Holland that can access the proposed service.

Equality Impact Assessment Form



Directorate: Transformation	Service: Planning
Completed by: Helen Hatch	Date: 03/02/2015
Subject Title: SKELMERSDALE AND UP HOLLAND CYCLE TO WORK SCHEME	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	YES
Is a service being designed, redesigned or cutback:	YES
Is a commissioning plan or contract specification being developed:	NO
Is a budget being set or funding allocated:	YES
Is a programme or project being planned:	YES
Are recommendations being presented to senior managers and/or Councillors:	YES
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	YES
Details of the matter under consideration:	The revision of the (re)Cycle to Work scheme to expand the service to other users, potentially by removing some of the membership criteria, through additional marketing and the extension of the service to the White Moss employment site.
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	

3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	The Cycle to Work scheme serves Skelmersdale and Up Holland residents accessing employment on the Pimbo Industrial Estate. The proposed revisions will extend the scheme to employees on the White Moss employment area.
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	The scheme is limited to those residents in Skelmersdale and Up Holland due to the limitations imposed by the funding source (S106). The scheme has been designed to help provide affordable transport for employees to access the Pimbo employment estate which is not served by public transport. The scheme was initially designed to help lower-paid workers (earning under £17.5k per annum) access employment. Future changes may open this up to all Skelmersdale and Up Holland residents employed on Pimbo by removing or reducing some of the membership criteria. The scheme will also be extended to serve the White Moss employment area.
Which of the protected characteristics are most relevant to the work being carried out? Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	YES YES YES No No No No No YES
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	<p>The service is being used by Skelmersdale and Up Holland residents employed on the Pimbo employment estate. From the demographic information collected from those members who chose to answer the equality questionnaire, scheme members represent a mix of ages and genders. A number of applications have been submitted from Polish employees, resident in Skelmersdale.</p> <p>Due to the physical nature of the scheme (cycling) the scheme is unsuitable for some disability groups – such as visually or mobility impaired. Applications from disabled applicants will not be refused – and no declaration is required - it is up to the applicant to determine their safety on the cycles.</p>

	Similarly, it is the decision of the individual (ie pregnant women) as to whether they wish to apply for a cycle.
What will the impact of the work being carried out be on usage/the stakeholders?	The revisions to the scheme will have limited impact on stakeholders, and will serve to expand accessibility to the scheme to wider users, including those employed on the White Moss Employment estate.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	<p>Feedback from scheme members so far has suggested that the scheme is of value in providing alternative, affordable means of transport that would not otherwise be available.</p> <p>The limitations imposed by the funding sources (S106) mean that this scheme is restricted to employees on the Pimbo estate. The revisions to the scheme will extend the service to those employed on the White Moss Employment estate.</p>
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	On registration, members are asked to complete a short survey on their equalities characteristics. The data is kept separately to their application and recorded anonymously. Not all applicants chose to complete this information and so the information is only as strong as the data received.
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	<p>The service is an 'opt-in' and stakeholders must apply to join the scheme.</p> <p>Proposed changes to the scheme are unlikely to have negative impacts on protected characteristics – rather they will be positive in extending the range of people to which the scheme can serve. The working age population will benefit from increased opportunities for local employment.</p> <p>Due to the physical nature of the scheme (cycling) the scheme will remain unsuitable for some disability groups – such as visually or mobility impaired. Applications from disabled applicants will not be refused – and no declaration of disability is required - it is up to the applicant to determine their safety on the cycles.</p>

	All ages will benefit from improved accessibility to Pimbo and White Moss employment areas by affordable and sustainable transport.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	There is no clear cut negative impact on any particular protected characteristic. Due to the physical nature of the scheme (cycling) the scheme will remain unsuitable for some disability groups – such as visually or mobility impaired. Applications from disabled applicants will not be refused - it is up to the applicant to determine their safety on the cycles.
What actions do you plan to take to address any other issues above?	No actions
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Ongoing review of the protected characteristics of users, and potential users, of the scheme. Future changes to the scheme will be considered in reference to analysis of the characteristic data gathered.



AGENDA ITEM: 5(g)

CABINET: 17th March 2015

Report of: Assistant Director Community Services/ Assistant Director Planning

**Relevant Managing Director: Managing Director (People and Places) /
Managing Director (Transformation)**

Relevant Portfolio Holder: Cllr. D Sudworth

**Contact for further information: Mrs P Campbell
(E-mail: paula.campbell@westlancs.gov.uk)**

**SUBJECT: USE OF SECTION 106 MONIES IN UP HOLLAND, HESKETH BANK &
DOWNHOLLAND**

Wards affected: Up Holland, Hesketh-with-Becconsall & Downholland

1.0 PURPOSE OF THE REPORT

1.1 To consider proposals regarding the use of Section 106 monies received from housing developers for the enhancement of public open space and recreation provision in Up Holland, Hesketh-with-Becconsall and Downholland.

2.0 RECOMMENDATIONS

2.1 That the proposed project to provide new recreational facilities to include a fenced play area aimed at 5-12 years, picnic facilities, seating and fishing platforms at Chequer Lane, Up Holland be approved and the Section 106 commuted sum of £64,631 generated in Up Holland be made available for this project.

2.2 That the proposal to provide new and improved play equipment at Shore Road and Station Road, Hesketh Bank be approved and the Section 106 commuted sum of £8,016 generated in Hesketh-with-Becconsall be made available for this project.

- 2.3 That the proposal to provide new and improved play equipment on Jubilee field, Downholland and boardwalks, interpretation panel, bench and table in Haskayne Cutting, Haskayne be approved and the Section 106 commuted sums of £13,972 and £3,700 respectively generated in Downholland be made available for this project.
-

3.0 BACKGROUND

- 3.1 Members will recall that under policy LE.13 of the Local Plan, developers must provide open space facilities as part of housing developments. Where developments are less than 20 dwellings or on sites where it is not reasonable to expect a developer to provide on-site facilities, and where there is a deficiency of open space, the Council can require a commuted sum for the provision of new or the enhancement of existing areas of public open space within its area.
- 3.2 In accordance with the decision of the Planning Committee held on January 10th 2002 the views of the relevant Parish Council/ward councillors are sought in respect of the potential use of this money.
- 3.3 In February 2011 an Officer Section 106 Agreements – Public Open Space Working Group was established to co-ordinate the receipt of the commuted sums, and report to Cabinet on proposals for the use of the S106 funding. A function of this group is to establish levels of uncommitted S106 funds across all wards, and consult with Parish Councils and Ward Councillors as to how this funding could be best utilised in line with the requirements of the S106 agreements.

4.0 CURRENT POSITION

- 4.1 Following consultation with Up Holland Parish Council and Up Holland Ward Councillors there is one new proposal from the Borough Council to put forward for consideration for existing Section 106 funding in Up Holland. The funding received from a particular development can only be used in accordance with the terms of the related S106 agreement. In this case the related agreement (Chequer Lane, £64,631) indicates that the monies are to be used within the local area.
- 4.2 Following consultation with Hesketh-with-Becconsall Parish Council there is one proposal from them to put forward for consideration for existing Section 106 funding in Hesketh-with-Becconsall. In this case the related agreement (Bullens, £8,016) indicates that the monies are to be used within the local area.
- 4.3 Following consultation with Downholland Parish Council there are two proposals from them to put forward for consideration for existing Section 106 funding in Downholland. In this case the related agreement (5-8 Woods Close, £8,836; Kings Arms, £8,836) indicates that the monies are to be used within the local area.

- 4.4 The Assistant Director Planning offers the view that the proposed use of Section 106 monies is in accordance with planning policy and the terms of the Section 106 Agreement and consequently supports the proposal.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 The project will support the Council's strategic aims in respect of improving access to quality facilities, providing facilities to improve the health and quality of life of the community and ensuring access to a wide age range.

- 5.2 The Council has an Agreement with Upholland, Hesketh-with-Becconsall and Downholland Parish Councils to ensure the expenditure is properly incurred for the purpose of the outlined Section 106 proposals and projects delivered within the allocated time frame.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The estimated total capital cost of the proposals is £90,319 which can be covered by the Section 106 funds currently available.

- 6.2 On completion of the Up Holland facility the play area will be included as part of the Council's inspection and maintenance schedule within existing budgets. Supervision and maintenance of the recreation areas will be undertaken by the Council's Countryside Ranger service in keeping with pre-existing duties.

- 7.0 On completion of the Hesketh Bank facility the play area will be maintained by Hesketh-with-Becconsall Parish Council.

- 7.1 On completion of the Downholland projects, maintenance will be the responsibility of Downholland Parish Council.

8.0 RISK ASSESSMENT

- 8.1 Section 106 funds need to be spent in accordance with criteria set out in the related planning agreements and usually within a set time from payment. If the Council does not spend the monies in accordance with the set criteria then they will be repayable to the developer. This risk can be mitigated by assessing all projects proposals prior to commencement to assure compliance and working in partnership with the applicants to ensure criteria is adhered to.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

1. Equality Impact Assessment

Equality Impact Assessment Form



Directorate: Community Services		Service: Leisure, Cultural & Arts	
Completed by: Paula Campbell		Date: 06/02/2015	
Subject Title: Use of Section 106 monies – Cabinet Report, March 2015			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	Yes		
Is a budget being set or funding allocated:	Yes		
Is a programme or project being planned:	Yes		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes		
Details of the matter under consideration:	The provision of play and recreation facilities		
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>		
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Local communities		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	Young persons		

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	Yes
Gender	No
Disability	No
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Projects not commenced
What will the impact of the work being carried out be on usage/the stakeholders?	Increased provision of play and recreation facilities
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Consultation process carried out to support the projects
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Liaisons with Parish and local Ward Councillors
If any further data/consultation is needed and is to be gathered, please specify:	N/A
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Increased recreation activities for the benefit young people and local community
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	On-going monitoring and liaisons with Parish Councils, local Ward Councillors and local communities affected. <i>If no actions are planned state no actions</i>

7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	February 2016. Reviewing officer – Paula Campbell.



AGENDA ITEM: 5(h)

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY COMMITTEE:
19 FEBRUARY 2015**

CABINET: 17 MARCH 2015

Report of: Transformation Manager

Relevant Head of Service: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor D Whittington

**Contact for further information: Ms A Grimes (Extn. 5409)
(E-mail: alison.grimes@westlancs.gov.uk)**

SUBJECT: QUARTERLY PERFORMANCE INDICATORS (Q3 2014/15)

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To present performance monitoring data for the quarter ended 31 December 2014.

2.0 RECOMMENDATIONS TO CORPORATE & ENVIRONMENTAL OVERVIEW & SCRUTINY COMMITTEE

2.1 That the Council's performance against the indicator set for the quarter ended 31 December 2014 be noted.

3.0 RECOMMENDATIONS TO CABINET

3.1 That the Council's performance against the indicator set for the quarter ended 31 December 2014 be noted.

3.2 That the call-in procedure is not appropriate for this item as the report was submitted to the meeting of the Corporate & Environmental Overview & Scrutiny Committee on 19 February 2015.

4.0 CURRENT POSITION

- 4.1 Members are referred to Appendix A of this report detailing the quarterly performance data.
- 4.2 Of the 35 indicators reported quarterly:
- 19 met or exceeded target
 - 5 indicators narrowly missed target; 8 were 5% or more off target
 - 3 indicators have data unavailable at the time of the report (*NI 191: Residual household waste per household; NI 192: % household waste sent for reuse, recycling & composting; WL121: Working Days Lost Due to Sickness Absence*)

As a general comparison, Q3 performance from the 2013/14 suite gave 16 (from 31) indicators on or above target.

- 4.3 Improvement plans are already in place for those indicators where performance falls short of the target by 5% or more for this quarter if such plans are able to influence outturn.
- 4.4 These plans provide the narrative behind the outturn and are provided in Appendices B1-B8. Where performance is below target for consecutive quarters, plans are revised only as required, as it is reasonable to assume that some remedial actions will take time to make an impact.
- 4.5 For those PIs that have flagged up as 'amber' (indicated as a triangle), an assessment has been made at head of service level based on the reasons for the underperformance and balancing the benefits of implementing an improvement plan versus resource implications. This is indicated in the table.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 5.1 The information set out in this report aims to help the Council improve service performance and is consistent with the Sustainable Community Strategy aim of providing good quality services that are easily accessible to all.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 There are no direct financial or resource implications arising from this report.

7.0 RISK ASSESSMENT

- 7.1 This item is for information only and makes no recommendations. It therefore does not require a formal risk assessment and no changes have been made to risk registers as a result of this report. Monitoring and managing performance

information data helps the authority to ensure it is achieving its corporate priorities and key objectives and reduces the risk of not doing so.

8.0 CONCLUSIONS

8.1 The performance indicator data appended to this report details the council's current performance against the key performance indicators from the full suite of indicators for 2014/15 as agreed by Cabinet in March 2014. Targets for the Revenues & Benefits and ICT Services provided through BTLs are established through the shared services contractual process. Performance against the full corporate suite of indicators 2014/15 will be reported within the Business Plan Annual Report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Appendix A – Quarterly Performance Indicators for Q3 October-December 2014/15

Appendix B – Current Improvement Plans

- B1: NI 157a+b+c Processing of planning applications: Major, Minor, Other
- B2: WL24 % Building regulations applications determined within 5 weeks
- B3: NI195c - Improved street and environmental cleanliness: Fly-posting
- B4: WL01 No. residual bins missed
- B5: TS1 Rent Collected as a % of rent owed (excluding arrears b/f)
- B6: TS24b: Average time taken to re-let housing (days) - SUPPORTED NEEDS
- B7: HS13-WL114 % LA properties with CP12 outstanding
- B8: WL108 Average answered waiting time for callers to contact centre (seconds)

Appendix C – Minute of Corporate and Environmental Overview and Scrutiny Committee – 19 February 2015 (*Cabinet only*)

APPENDIX A: QUARTERLY PERFORMANCE INDICATORS Q3 2014/15

Icon key					
PI Status			Performance against same quarter previous year		
	OK (within 0.01%) or exceeded	19		Improved	14
	Warning (within 5%)	5		Worse	10
	Alert (by 5% or more)	8		No change	5
N/A	Data not collected for quarter	0	/	Comparison not available	3
	Awaiting data	3		Awaiting data	3
Total number of indicators		35			

Shared Services ¹

PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
ICT1 Severe Business Disruption (Priority 1)	100%	100%	100%	100%	100%	100%	100%	100%	100%	99.0%			
ICT2 Minor Business Disruption (P3)	100%	100%	100%	100%	100%	100%	100%	100%	99%	97.0%			
ICT3 Major Business Disruption (P2)	100%	100%	100%	100%	100%	100%	100%	100%	100%	97.0%			
ICT4 Minor Disruption (P4)	99%	99%	98%	99%	99%	99%	99%	99%	99%	97.0%			
B1 Time taken to process Housing Benefit/Council Tax Benefit new claims and change events ²	11.93	11.27	7.12	7.66	8.31	7.44	6.79	7.66	8.23	12.00			
B2 Overpayment Recovery of Housing Benefit overpayments (payments received)	£130,250	£170,882	£43,041	£84,613	£123,567	£170,909	£34,524	£82,895	£130,906	£123,697			
R1 % of Council Tax collected ³	86.77%	96.40%	28.33%	55.47%	82.85%	95.32%	28.95%	56.11%	83.60%	85.40%	Outturn is 1.8% below target due in part to current focus on previous years CTax collection and the on-going impact of CTax Support. The overall CTax position is positive. £1.47m more has been collected than at the same point last year. No plan attached since action for improvement is managed through contractual meetings.		



PI Code & Short Name	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	2012/13	2012/13	2013/14	2013/14	2013/14	2013/14	2014/15	2014/15	2014/15				
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
R2 % council tax previous years arrears collected	11.28%	18.32%	4.66%	11.71%	16.94%	20.94%	3.38%	12.36%	27.34%	20.7%		↑	✔
R3 % of Non-domestic Rates Collected ³	88.04%	95.40%	27.89%	58.57%	84.58%	95.53%	30.75%	58.26%	83.29%	80.00%		↓	✔
R4 % Sundry Debtors of revenue collected against debt raised ⁴	N/A	N/A	48.23%	66.83%	71.07%	90.05%	62.59%	79.34%	86.49%	76.25%		↑	✔

Community Services















PI Code & Short Name	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	2012/13	2012/13	2013/14	2013/14	2013/14	2013/14	2014/15	2014/15	2014/15				
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL08a Number of Crime Incidents	1,351	1,253	1,281	1,403	1,449	1,329	1,312	1,277	1,277	1,488		↑	✔
WL_18 Use of leisure and cultural facilities (swims and visits) ⁵	232,005	311,788	293,167	313,674	243,378	326,547	310,875	315,366	254,704	227,000		↑	✔






Planning

PI Code & Short Name	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	2012/13	2012/13	2013/14	2013/14	2013/14	2013/14	2014/15	2014/15	2014/15				
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 157a Processing of planning applications: Major applications	33.33%	80.00%	30.00%	77.78%	54.55%	85.71%	100%	76.92%	44.44%	65.00%	Improvement plan attached at Appendix B1	/ ⁶	⬮
NI 157b Processing of planning applications: Minor applications	73.13%	75.86%	87.50%	84.62%	82.43%	72.15%	74.67%	70.00%	70.59%	75.00%	Improvement plan attached at Appendix B1	↓	⬮
NI 157c Processing of planning applications: Other applications	91.78%	89.23%	91.61%	93.02%	92.99%	84.35%	79.83%	76.10%	84.51%	85.00%	Improvement plan attached at Appendix B1	↓	⚠






PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL24 % Building regulations applications determined within 5 weeks	66.20%	73.33%	80.00%	67.09%	75.61%	71.93%	71.58%	56.32%	57.14%	70.00%	Improvement plan attached at Appendix B2		





Street Scene

PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
NI 191 Residual household waste per household (Kg)	131.59	116.18	114.84	111.36	140.5	134.38	133.82	125.47		123.48	Pending confirmation of merchant data by LCC		
NI 192 Percentage of household waste sent for reuse, recycling and composting	44.17%	40.73%	52.35%	42.16%	39.93%	37.10%	50.88%	49.7%		47.58%	Pending confirmation of merchant data by LCC		
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	1.00%	N/A ¹⁰	N/A	.83%	1.67%	.16%	N/A	1.17%	1.00%	1.61%			
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	3.10%	N/A ¹⁰	N/A	7.09%	2.70%	2.47%	N/A	2.75%	2.5%	7.33%			
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	.00%	N/A ¹⁰	N/A	.33%	.00%	.17%	N/A	.33%	2.17%	1.11%	Improvement plan attached at Appendix B3		
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	0.00%	N/A ¹⁰	N/A	0.00%	0.00%	0.00%	N/A	0.00%	0.00%	0.00%			











PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
WL01 No. residual bins missed per 100,000 collections	65.40	87.09	64.78	63.54	65.40	134.20	90.52	87.07	85.2	70.00	Improvement plan attached at Appendix B4		
WL06 Average time taken to remove fly tips (days)	1.12	1.05	1.05	1.07	1.08	1.12	1.12	1.06	1.08	1.09			
WL122 % Vehicle Operator Licence Inspections Carried Out within 6 Weeks	N/A	N/A	N/A	N/A	N/A	N/A	100%	100%	100%	100%		/	

Housing & Regeneration

PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
TS1 Rent Collected as a % of rent owed (excluding arrears b/f)	98.63	98.41	97.58	97.58	98.25	98.47	99.2	98.04	98.18	99.83	Target for 2014/15 was increased from previous target of 97%. The impact of Welfare Reform and the September roll-out date for first tranche of Universal Credit were unknown when this target was agreed. Data for previous years is not directly comparable but provided for reference. See note ⁸ . Improvement plan attached at Appendix B5	/ ⁸	
TS24a GN Average time taken to re-let local authority housing (days) - GENERAL NEEDS	21.75	29.67	53.61	49.52	58.10	65.74	30.25	18.19	22.77	28.00			
TS24b SP Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS	167.57	50.23	29.94	64.73	98.01	62.31	79.20	41.39	65.66	50.00	Improvement plan attached at Appendix B6		

PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
HS1-WL111 % Housing repairs completed in timescale	98.66%	97.90%	97.20%	96.57%	96.46%	96.68%	96.76%	95.86%	96.58%	97.00%	Head of Service's amber assessment: improvement plan not required. During Q3 contractor performance has been above the previous target of 95% and marginally below the current target of 97%. Contractors have been instructed to monitor completion targets more closely. An automated report will be set up and emailed daily advising contractors of jobs due for completion within the next 7 days.		
HS13-WL114 % LA properties with CP12 outstanding [Lower is Better]	0.08%	0.11%	0.07%	0.04%	0.01%	0.1%	0.1%	0.04%	0.06%	0%	Target based on legal requirement for all eligible properties to have certificate. Reported performance is an average from months in the period and equates to just over 3 properties. Improvement plan attached at Appendix B7		

Transformation

PI Code & Short Name	Q3 2012/13	Q4 2012/13	Q1 2013/14	Q2 2013/14	Q3 2013/14	Q4 2013/14	Q1 2014/15	Q2 2014/15	Q3 2014/15	Current Target	Comments	Q3 14/15 vs Q3 13/14	Quarter Performance
	Value	Value	Value	Value	Value	Value	Value	Value	Value				
BV8 % invoices paid on time	96.71%	97.82%	97.21%	97.03%	97.75%	96.24%	96.53%	98.44%	98.73%	98.24%			
WL19b(ii) % Direct Dial calls answered within 10 seconds ⁹	78.38	79.47	79.55	80.18	80.49	81.82	82.01	81.50	82.13	82.21	Head of Service's amber assessment: improvement plan not required.		
WL90 % of Contact Centre calls answered	88.8%	89.9%	87.3%	93.6%	92.6%	91.3%	93.1%	93.6%	91.1%	90.6%			
WL108 Average answered waiting time for callers to the contact centre (seconds)	26.00	36.00	47.00	17.00	25.00	34.00	20.00	24.00	44.00	26.25	Improvement plan attached at Appendix B8		
WL121 Working Days Lost Due to Sickness Absence ¹⁰	2.14	2.31	2.63	2.74	2.88	1.87	1.71	1.93		2.02	Awaiting data.		

Notes:

¹ Managed through LCC/BTLS contract. Contractual targets are annual. Quarter targets are provided as a gauge for performance only. Improvement plans are not attached since actions planned to improve performance are discussed and managed through contractual monthly Quality of Service meetings.

² B1: The PI reports cumulative progress to the annual target, not 'within quarter' performance. Data for previous quarters has been restated to reflect this change.

³ R1 & R3: In line with current good practice, from 2013/14 outturns/targets no longer include a value of 'credit on accounts' resulting in the outturn being lower than if credits were still included. Quarter outturns of 2012/13 are therefore not directly comparable, but data provided for reference/information.

⁴ R4: This is now reported as a %, rather than a cash figure.

⁵ WL18: from Q1 2014/15, Community Resource Centre (CRC) data is no longer included. Data from 2012/13 onwards has been restated without CRC to allow comparison with previous performance.

⁶ NI157a: For 2014/15, following updated guidance from DCLG, the 13 weeks period is not counted in those cases where a time extension is agreed with the applicant. A direct comparison with previous year quarter outturn is therefore not possible, but data is provided for reference/information.

⁷ NI195a-d: Data for Q4 2012/13 was collected but not analysed due to a staff vacancy, subsequently filled. However, due to competing priorities this analysis has not taken place.

⁸ TS1: For 2014/15, this replaces BV66a with a simplified calculation. A direct comparison with previous years outturn is therefore not possible, but data is provided for reference/information.

⁹ WL19bii: Direct Dial - from Q1 2012-13 data does not include BTLS seconded staff.

¹⁰ WL121: from 2014/15, BV12 is recoded as since the calculation used was not fully reflective of the BV12 guidance. Calculation for 2014-15 remains the same. From Q3 2012-13 data does not include BTLS seconded staff.

'NI' and 'BV' coding retained for consistency/comparison although national reporting no longer applies.

PERFORMANCE IMPROVEMENT PLAN	
Indicator	NI 157a Processing of planning applications: Major applications NI 157b Processing of planning applications: Minor applications NI 157c Processing of planning applications: Other applications
Reasons for not meeting target	
<p>This drop in performance reflects a number of factors;</p> <ul style="list-style-type: none"> - A reduced staffing resource as a result of maternity leave. - A significant increase in workloads 	
Brief Description of Proposed Remedial Action	
<p>We advertised a post to cover the maternity absence, but despite a 5 week advertisement, received no applicants.</p> <p>Council gave approval to appoint an additional planning officer on a 2yr fixed term contract. This is out to advert. Unfortunately the benefits of this additional staff resource (if indeed the post is filled) will be offset in the first 12 months, by being unable to fill the maternity cover vacancy.</p> <p>To address the situation, discussions are in progress to see if existing part time officers are in a position to extend their hours; looking at the possible use of staff from outside the Development Management Team and investigating whether adjacent authorities have some spare capacity to assist on a short term basis.</p> <p>Unless a solution can be found, it may be increasingly difficult to meet current performance targets due to the significant increase in workload.</p>	
Resource Implications	From within existing budget
Priority	High
Future Targets	
Action Plan	
Tasks to be undertaken	Completion Date
As set out above	asap

PERFORMANCE IMPROVEMENT PLAN	
Performance indicator	WL24 % Building regulations applications determined within 5 weeks
Reasons for not meeting target	
<p>The failure to achieve the published target for Q3 2014/15 is mainly due to long-term sickness absence, and an associated backlog of work.</p> <p>A lot of the plans awaiting a decision where due that decision over the Christmas period, in a number of these cases the agents / applicants requested an extension of time within which to furnish the council with amendments, if such a request is made we must extend the Decision date to 2 months.</p> <p>There were a number of 'Partner Authority Schemes' submitted where we are not responsible for the plan checking and consequently they are beyond our control.</p>	
Brief Description of Proposed Remedial Action	
Short term re-prioritising of workloads to focus on plan checking and issuing decisions within 5 weeks. Where applicable try and convince Partner Authorities to make decisions within 5 weeks, where this is possible.	
Resource Implications	
None	
Priority	
High	
Future Targets	
No Change at this time	
Action Plan	
Action	Due date
As above.	

PERFORMANCE IMPROVEMENT PLAN	
Indicator	NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti
Reasons for not meeting target	
<p>The second tranche (third quarter) saw an increase of 1.06% above the target figure, which predominately occurred in the land classification of recreational areas. It should be noted that the methodology for gathering the data can include graffiti on privately owned property such as shops, substations etc.</p>	
Brief Description of Proposed Remedial Action	
<p>The removal of graffiti within the recreational parks is co-ordinated by Leisure Services. Street Scene will provide Leisure Services with photographic evidence of extent of the graffiti that classify the area as unsatisfactory.</p>	
Resource Implications	
None	
Priority	
Low	
Future Targets	
Continue with existing target.	
Action Plan	
Tasks to be undertaken	Completion Date
Implement reporting system	March 2015

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL01: missed bins per 100,000 collections
Reasons for not meeting target	
<p>There has been a 2.2% improvement in the number of missed bins from the previous quarter.</p> <p>The delayed delivery of a service collection vehicle continues to have a negative impact on service delivery.</p>	
Brief Description of Proposed Remedial Action	
<p>The improvement is for the third successive quarter, therefore continue with the existing measures. The anticipated delivery date for the collection vehicle is January 2015.</p>	
Resource Implications	
None	
Priority	
Medium	
Future Targets	
Continue with existing performance target.	
Action Plan	
Tasks to be undertaken	Completion Date
Weekly performance monitoring	March 2015

PERFORMANCE IMPROVEMENT PLAN	
Indicator	TS1- Rent Collected as a % of rent owed (excluding arrears b/f)
Reasons for not meeting target	
<p>The target for 2014/15 was increased from the previous target of 97% to 99.83%. The Q3 performance currently stands at 98.18%, it is unlikely that we will hit the new target. The reason for this is that the impact of Welfare Reform e.g. the Social Sector Size Criteria, which is continuing to impact on collection rates. DHP payments generally for existing claimants also ceased from November 2014 onwards. Roll out of Universal Credit from September 2014 which now includes payment for housing costs.</p>	
Brief Description of Proposed Remedial Action	
<p>The following actions have already been put in place to minimise impact</p> <ul style="list-style-type: none"> • Revised arrears escalation processes for UC claimants • A dedicated officer to provide Personal Budgeting Support for tenants moving onto UC who have no experience of managing housing costs • Targeted financial inclusion support to maximise income and benefits for tenants • Additional staffing resources within the rent recovery team to target those tenants who have never had to pay rent • Housing staff are part of a wider corporate UC task group who monitor impact and work with partners to mitigate the impact of UC • Regular meetings are held with BTLS benefits service to respond to changes in legislation • Successful bid to DWP for additional staffing resources to support UC. An additional Financial Inclusion Officer is now in post on a 12 month contract • Discussions with those tenants who will no longer receive DHP to explore alternatives including rehousing to smaller accommodation. <p>We are also looking at incentives to encourage clear rent accounts along with continuing to promote the Direct Debit method of payment.</p>	
Resource Implications	
<p>There are resource implications in managing the additional workload resulting from social sector size criteria and UC. Two temporary Housing Assistant positions were agreed and funded to June 2015 to assist with this additional work and a growth bid has been submitted for Council in February to make these posts permanent from June 2015.</p>	
Priority	
High	
Future Targets	
<p>Considering Welfare Reform, the cessation of DHP's to existing claimants generally, and the roll out of UC, the target of 99.83% is not going to be achievable. A new target needs to be agreed for the coming financial year where the continued impact of Universal Credit (UC) needs to be factored into calculations. The pilot schemes where full roll out of UC has taken place sees collection rates reduce to as low as 84%. I think this is an area that needs to be reviewed by Cabinet on an annual basis and the figure should be demanding but achievable.</p>	
Action Plan	
Tasks to be undertaken	Completion Date
To agree revised target through Cabinet process	March 2015

PERFORMANCE IMPROVEMENT PLAN	
Indicator	TS24b - Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS
Reasons for not meeting target	
<p>Several long term voids have been relet during the quarter which adversely affects average number of days to relet.</p> <p>For a number of years the council has been experiencing low demand across many of its sheltered housing schemes. The following properties, let in Quarter 3 had been empty for over 6 months due to the lack of demand for sheltered accommodation: 30 Evenwood Ct, and 41 Evenwood Court. If these properties were excluded from the calculation, relet performance would be below target at 32.9 days for Q3.</p> <p>The Kitchen and Bathroom Refurbishment Programmes have also resulted in inevitable delays in the reletting of those empty properties requiring new kitchens and/or bathrooms.</p>	
Brief Description of Proposed Remedial Action	
<p>Options Appraisals of sheltered schemes have been commissioned.</p> <p>All investment in Category II sheltered schemes will be considered in light of the councils Asset Management Plan.</p> <p>An open day has taken place at Evenwood Court, Tanhouse and further promotional exercises to stimulate demand will be undertaken.</p> <p>Declassification of some additional sheltered schemes has been completed.</p>	
Resource Implications	
Loss of rental income	
Priority	
High	
Future Targets	
Action Plan	
Tasks to be undertaken	Completion Date
Options Appraisals	Ongoing
Asset Management Planning	Ongoing
Promotion of low demand schemes	Complete
Declassification programme	Complete

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL114: % LA properties with CP12 outstanding
Reasons for not meeting target	
<p>The target has been set at our legal requirement in this area at 0%. This target has been achieved occasionally but, more often than not, there are a handful of properties where the gas appliance has not been serviced in accordance with requirements.</p>	
Brief Description of Proposed Remedial Action	
<p>The current process works reasonably well and the service cycle currently stands at 10 months. This gives 2 months to arrange to service boilers or take legal action. Where legal action is taken, quite often it takes more than 2 months to arrange for the case to be heard in the County Court and there is no way currently that this situation can be short circuited.</p>	
Resource Implications	
<p>A growth bid is being submitted to Members in February to see whether they wish to incur additional costs and have servicing carried out on a more frequent basis.</p>	
Priority	
High	
Future Targets	
No change	
Action Plan	
Tasks to be undertaken	Completion Date
Council to review the time taken between services at February meeting	February 2015

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL108 Average waiting time for callers to the Contact Centre (seconds)
<p>Reasons for not meeting target</p> <p>It should be noted that the target was missed by just less than 18 seconds. During the period, we have had a vacant post due to the retirement of the previous post holder, some short term staff sickness and also a slight increase in call volume regarding refuse & recycling collection issues.</p>	
<p>Brief Description of Proposed Remedial Action</p> <ul style="list-style-type: none"> • Continued close liaison with colleagues in Street Scene – regular meetings have been scheduled. • Continued close monitoring of call handling times together with any future sickness within the team. 	
<p>Resource Implications</p> <p>The vacant post has now been filled.</p>	
<p>Priority High</p>	
<p>Future Targets</p> <p>Outturn has been over 30 seconds for the last two years. The Contact Centre now directly delivers many more services and our focus is on providing quality services to ensure that customer queries are resolved efficiently during every call and therefore at the first point of contact. This can impact on wait times as calls are taking slightly longer to resolve.</p>	
Action Plan	
Tasks to be undertaken	Task Completion Date
See above comments.	Ongoing.

**CORPORATE AND ENVIRONMENTAL OVERVIEW AND SCRUTINY COMMITTEE
– 19 FEBRUARY 2015**

43. QUARTERLY PERFORMANCE INDICATORS Q3 2014-15

Consideration was given to the report of the Transformation Manager which detailed performing monitoring data for the quarter ended 31 December 2014, as contained on pages 247 to 264 of the Book of Reports and also page 277 (Appendix B9). The report was scheduled to be considered by Cabinet at its meeting on 17 March 2015.

The Policy and Performance Officer attended the meeting and updated Members on Appendix B9, as circulated and provided details of the amendments at paragraph 4.2 of the report to read:

“4.2 Of the 35 indicators reported quarterly:

- “19 met or exceeded target
- 5 indicators narrowly missed target; 9 were 5% or more off target
- 2 indicators have data unavailable at the time of the report (*NI 191: Residual household waste per household; NI 192: % household waste sent for reuse, recycling & composting*)

As a general comparison, Q3 performance from 2013/14 suite gave 16 (from 31) indicators on or above target. “

In discussion Members raised questions and comments in respect of the following:

- TS1 (Rent Collected as a % of rent owed (excluding arrears b/f) - clarification relating to the “successful bid to DWP for additional staffing resources to support UC.”
- WL114 (% LA properties with CP12 outstanding) – processes to ensure compliance; assistance available to ensure mandatory compliance; any additional procedures (for example, through Central Government) that might be available.

In relation to the discussion on PI TS1, it was agreed that the additional questions, as noted, raised in respect of the extra resource from DWP and the conditions related to the temporary additional support, as referred to at bullet point 7 in the Performance Improvement Plan (Appendix B5), be passed to the Assistant Director for clarification and response.

In relation to the discussion on PI WL114, the Assistant Solicitor, who attended the meeting, responded to questions and explained in her response the procedure that had to be complied with in respect of the points raised. Further, she made an undertaking to circulate additional information on the procedure and processes the Council employs relating to the legal requirement in dealing with these matters.

RESOLVED: A That clarification, in relation to PI TS1, bullet point 7 (Appendix B5), be sought from the Assistant Director Housing and Regeneration and the response provided be circulated to all Members of the Committee.

B That the Council’s performance against the indicator set for the quarter ended 31 December 2014 be noted.

PERFORMANCE IMPROVEMENT PLAN	
Indicator	WL121 Working Days Lost Due to Sickness Absence
Reasons for not meeting target	
<p>The Council's target for 2014/15 is to achieve (not more than) 8.08 working days lost per employee, measured on a rolling 12 month basis. This equates to a quarterly target of 2.02 days per full time equivalent. There has been an increase in the quarterly absence rate from 1.92 in Q2 to 2.32 in Q3. However, both of these figures show an improvement compared with performance of the same quarters in the previous year.</p> <p>Over two of the months in the quarter (ie winter months of November and December) we have seen an increase in the number of long term absence cases, with 40 % of all absences in December relating to muscular-skeletal problems or post-operative recovery. This has unfortunately contributed to the total number of days absence in this quarterly period. Additionally (and again in the two months of November/December) we have seen an increase in the number of short term absences. Given that this quarter falls in the winter period, it is not unusual for there to be a seasonal spike in absences for example due to cold and flu related illnesses. Indeed during December alone 18 % of all absences were caused by these types of illness.</p> <p>Finally, whilst this quarter shows a slight increase in sickness absence levels, our rolling 12 months review of figures has seen a continued reduction in the number of days lost due to sickness absence on a month by month basis.</p>	
Brief Description of Proposed Remedial Action	
<ul style="list-style-type: none"> • Heads of service will continue to closely monitor sickness levels within their respective service areas and take urgent action as necessary in line with the Sickness Absence Policy • The HR team will continue to focus on providing detailed management information which will assist managers to effectively identify all short term cases of sickness absence which have exceed the agreed 'trigger' levels, together with all on-going long term cases of sickness absence. • The HR team will continue to meet with individual Heads of Service to provide advice and support to ensure managers have the continued skills and confidence to address absence issues appropriately. • The HR team will continue to support Managers through the Management of Attendance procedures. We have recently enhanced our contractual arrangement with our Occupational Health provider (OH Assist) and this will further contribute to addressing sickness absence issues. 	
Resource Implications	
<p>Timely interventions and practical support will continue to be needed from managers, which can make a real positive difference to attendance levels.</p> <p>The HR team will provide support and guidance to managers on the implementation of the established policy.</p>	
Priority	
High	
Future Targets	
Continue with existing target.	
Action Plan: Tasks to be undertaken	Completion Date
See proposed remedial action (above)	Ongoing



AGENDA ITEM: 5(i)

CABINET: 17 March 2015

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
1 April 2015**

Report of: Transformation Manager

Relevant Head of Service: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor D Whittington

**Contact for further information: Ms A Grimes (Extn. 5409)
(E-mail: alison.grimes@westlancs.gov.uk)**

SUBJECT: CORPORATE PERFORMANCE MANAGEMENT 2015/16

Borough wide interest

1.0 PURPOSE OF THE REPORT

1.1 To seek approval for the Suite of Performance Indicators (Appendix A) to be adopted as the Council's Corporate PI Suite 2015/16.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the Suite of Performance Indicators 2015/16 (Appendix A) and targets identified be approved as being the most important in terms of delivering the Council's corporate priorities and adopted as the Council's Corporate PI Suite 2015/16.

2.2 That the Transformation Manager, in consultation with the relevant Portfolio Holders, agree the targets for the Revenues & Benefits and ICT Services once proposed via the shared services contractual process.

2.3 That the Transformation Manager, in consultation with the Portfolio Holder for Resources & Transformation, be authorised to finalise and amend the suite having regard to comments from Executive Overview and Scrutiny Committee made on 1 April 2015, and to make any amendments to the suite in year in response to any issues that may arise, for example government policy or collection mechanisms.

2.4 That call-in is not appropriate for this item as it is being considered at the next meeting of Executive Overview & Scrutiny Committee on 1 April 2015.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That the Committee consider the Suite of Performance Indicators 2015/16 (Appendix A) and agree comments as appropriate.

4.0 BACKGROUND

4.1 The corporate suite of performance indicators is reported to demonstrate performance against the priorities agreed by Members through the Business Plan. The suite will help the authority understand how well it is performing and provide information as to whether the organisation is on track to achieve the priorities.

4.2 As part of the development of the *Business Plan 2015-18*, a review of the 2014/15 suite of performance indicators was undertaken. The review resulted in:

- the revision to some targets (indicated in the Appendix)
- the removal of *WL24 % Building regulations applications determined within 5 weeks*

The proposed suite for 2015/16 is attached at Appendix A.

4.3 It is recommended that targets for performance in 2015/16 are set to be challenging but realistic. In most cases this means that targets are maintained as for 2014/15, but where circumstances suggest that PIs/targets need to vary then an explanation for the proposed change is provided in the table.

4.4 As in previous years, PI targets are reviewed and agreed with Heads of Service and Portfolio Holders prior to submission to committee.

4.5 There are 55 proposed performance indicators within the suite. Of these, 34 are the 'key performance indicators' which will be reported to Members on a quarterly basis as indicated in the Appendix. Performance improvement plans will be provided where actions can be expected to make a difference to future outturn or provide further detail on any underperformance. The remainder of the PIs will be reported annually. The full suite outturn will be reported with the Annual Business Plan Report.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

5.1 The information set out in this report aims to help the Council to improve service performance and is consistent with the Sustainable Community Strategy aim of providing good quality services that are easily accessible to all.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 There are no significant financial or resource implications arising from the recommendations within this report.

7.0 RISK ASSESSMENT

- 7.1 Monitoring and managing performance information data together with the monitoring of progress against the Business Plan helps the authority to ensure it is achieving its priorities and reduces the risk of not doing so.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have a direct impact on members of the public, employees, elected members and/or stakeholders. Therefore no equality impact assessment is required.

Appendices

Appendix A – Proposed 2015/16 Corporate Performance Indicator Suite

Appendix B – Proposed deletion for 2015/16

Appendix C - Minute of Cabinet 17 March 2015 (Executive Overview and Scrutiny Committee only)

APPENDIX A: PROPOSED CORPORATE SUITE 2015/16

Performance Indicator	Reported	2012/13 Outturn	2013/14 Outturn	2014/15 Annual Target	2015/16 Annual Target	Notes for 15/16	Changes from 14/15	Service	Priority ¹
CIT01 % feel West Lancs is safe & secure to live	Annual	79%	79%	70%	70%			Community Services	Caring for our Borough
CIT02 % satisfied with cleanliness of streets	Annual	63%	64%	67%	67%			Street Scene	Caring for our Borough
CIT03 % satisfied with how WLBC runs things	Annual	67%	68%	67%	68%	Target increased to reflect last year's outturn.	Y - target	Transformation	Balancing the budget/best possible services
CIT04 Local authority tenants' satisfaction with landlord services	Annual (Bi-ennial survey)	87%	Not carried out	90%	Not carried out	Bi-ennial survey.	Y - target	Housing & Regeneration	Caring for our Borough
CIT05 % satisfied with local area as a place to live	Annual	83%	81%	89%	85%	Target reduced to reflect recent annual outturns.	Y - target	Transformation	Caring for our Borough
CIT06 % satisfied with sports/leisure facilities	Annual	39%	40%	46%	46%			Community Services	Caring for our Borough
CIT07 % satisfied with parks and open spaces	Annual	58%	59%	65%	65%			Community Services	Caring for our Borough
CIT08 % residents agreeing that WLBC provides value for money	Annual	42%	43%	42%	43%	Target increased to reflect last year's outturn.	Y - target	Transformation	Balancing the budget/best possible services
CIT12 % of people satisfied with household collections for domestic waste	Annual	81%	87%	79%	79%			Street Scene	Caring for our Borough
CIT13 % of people satisfied with household collections for recyclable materials	Annual	77%	81%	77%	77%			Street Scene	Caring for our Borough
CIT14 % of residents satisfied with how the council keeps them informed	Annual	58%	57%	58%	58%	Many sections of the council communicate with stakeholders keeping them informed about services. This is in addition to the dedicated resource that covers media relations and website content.		Transformation	Balancing the budget/best possible services
WL08a Number of Crime Incidents	QPI/ Annual	5,440	5,462	6,076	5,800	Target reduced to reflect recent annual outturns and remain challenging. Council input principally via work with the Community Safety Partnership.	Y - target	Community Services	Caring for our Borough
WL18 Use of leisure and cultural facilities (swims and visits)	QPI/ Annual	1,101,904	1,176,766	1,120,000	1,200,000	Target reassessed based on outturn from 2013/14. Target to be adjusted pending result of Strategic Leisure Review and MSR process. 2012-14 results restated to remove community centre data to allow direct comparison.		Community Services	Caring for our Borough
BV8 % invoices paid on time	QPI/ Annual	97.22%	97.05%	98.24%	98.24%			Transformation	Balancing the budget/best possible services
WL90 % of Contact Centre calls answered	QPI/ Annual	87.20%	90.90%	90.60%	91.00%		Y - target	Transformation	Balancing the budget/best possible services
WL108 Average waiting time for callers to the contact centre (seconds)	QPI/ Annual	36.5	30.75	26.25	30	Target reduced to reflect outturn has been over 30s for last two years. The Contact Centre now directly delivers many more services and focuses on providing quality services to resolve queries at first point of contact (FPC). This impacts on wait times as calls take slightly longer to resolve, however resolution at FPC has risen to just over 80% (13/14). Revised target is therefore considered challenging but realistic.	Y - target	Transformation	Balancing the budget/best possible services
WL19b(ii) % Direct Dial calls answered within 10 seconds	QPI/ Annual	78.91	80.51	82.21	82.21			Transformation	Balancing the budget/best possible services
WL121 Working Days Lost Due to Sickness Absence	QPI/ Annual	9.14	10.11	8.08	8.08			Transformation	Balancing the budget/best possible services

Performance Indicator	Reported	2012/13 Outturn	2013/14 Outturn	2014/15 Annual Target	2015/16 Annual Target	Notes for 15/16	Changes from 14/15	Service	Priority/ Service link ¹
ICT1 Severe Business Disruption (Priority 1) ²	QPI/ Annual	100.0%	100.0%	99%	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
ICT2 Minor Business Disruption (P3) ²	QPI/ Annual	99.0%	100.0%	97%	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
ICT3 Major Business Disruption (P2) ²	QPI/ Annual	100.0%	100.0%	97%	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
ICT4 Minor Disruption (P4) ²	QPI/ Annual	99.0%	99.0%	97%	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
ICT5 Advice & Guidance (P5) ²	Annual	99.0%	100.0%	97%	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
B1 Time taken to process benefits ²	QPI/ Annual	11.27	7.44	12	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
B2 Overpayment Recovery of Housing Benefit overpayments (payments received) ²	QPI/ Annual	£170,882	£170,909	£170,000	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
B3 Benefit Fraud Sanctions & Prosecutions ²	Annual	47	42	Data only	Data only	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
B4 Benefits Local authority Error Overpayments ²	Annual	£ 166,979	£86,437	Below £139,235	tbc	Annual target set via contract process. Assessment made on year-end figure.		Transformation	Balancing the budget/best possible services
R1 % of Council Tax collected ²	QPI / Annual	~	95.32%	97.10%	tbc	Annual target set via contract process. Data before 13/14 not comparable as included 'credit on accounts'.		Transformation	Balancing the budget/best possible services
R3 % of Non-domestic Rates Collected ²	QPI / Annual	~	95.53%	97.20%	tbc	Annual target set via contract process. Data before 13/14 not comparable as included 'credit on accounts'.		Transformation	Balancing the budget/best possible services
R4 Sundry Debtors (cash collected and write offs) ²	QPI/ Annual	~	90.05%	89.10%	tbc	Annual target set via contract process. Previous years not comparable as reported as cash figure.		Transformation	Balancing the budget/best possible services
R2 % council tax arrears collected ²	QPI/ Annual	18.32%	20.94%	24.50%	tbc	Annual target set via contract process.		Transformation	Balancing the budget/best possible services
WL117 Planned net spend per head	Annual	£129.92	£125.22	Data only	Data only	Information based on Revenue Return Estimates. Data only; target not applicable.		Treasurer	Balancing the budget/best possible services
WL118 Income from fees & charges	Annual	£7.480m	£7.512m	£6.967m	tbc	Target is budget projection.		Treasurer	Balancing the budget/best possible services
TS1 Rent collected as a % of rent owed (excluding arrears b/f)	QPI / Annual	Not collected (different definition)	Not collected (different definition)	99.83%	97%	Target increased from 97% in 2013/14. However, Discretionary Housing Payments which supported the shortfall in Housing Benefit for those tenants affected by the social sector size criteria ended in November 2014. Universal Credit (UC) went live in the Borough in September 2014. These impacts need to be factored into a new target. UC Pathfinder organisations are reporting average 84% collection rates. We have implemented a number of measures aimed at maintaining a higher collection rate. The indicator will be reviewed mid-year against updated benchmarking data.	Y - target	Housing & Regeneration	Balancing the budget/best possible services
HS14-NI158 % non-decent council homes	Annual	0.96%	0.58%	0.40%	0.35%	Improved target to further reduce numbers	Y - target	Housing & Regeneration	Caring for our Borough
HS1-WL111 % Housing repairs completed in timescale	QPI/ Annual	97.34%	96.73%	97%	97%	Target endorsed by tenants		Housing & Regeneration	Balancing the budget/best possible services
HS13-WL114 % LA properties with CP12 outstanding	QPI/ Annual	0.11%	0.10%	0%	0%	Target based on legal requirement for all eligible properties to have a certificate.		Housing & Regeneration	Balancing the budget/best possible services

Performance Indicator	Reported	2012/13 Outturn	2013/14 Outturn	2014/15 Annual Target	2015/16 Annual Target	Notes for 15/16	Changes from 14/15	Service	Priority/ Service link ¹
TS24a Average time taken to re-let local authority housing (days) - GENERAL NEEDS	QPI/ Annual	23.36	56.74	28	28	Target takes account of current low demand.		Housing & Regeneration	Balancing the budget/best possible services
TS24b Average time taken to re-let local authority housing (days) - SUPPORTED NEEDS	QPI/ Annual	77.9	63.75	50	50	To take account of low demand for sheltered housing and that when a long term void is tenanted it has a negative impact on re-let performance.		Housing & Regeneration	Balancing the budget/best possible services
NI 155 Number of affordable homes delivered (gross)	Annual	168	54	60	40	While planning permissions and pipeline schemes indicate that the overall target of 500 units will be achieved over the life of the Housing Strategy 2014-19, there is a requirement to re-profile the indicative annual targets to: 15/16 = 40 ; 16/17 = 60. This is to take account of the likely build programmes. Higher outturns year on year are likely in the later part of the life of the current Housing Strategy.	Y - target	Housing & Regeneration	Sustainable regeneration and growth
NI 152 Working age people on out of work benefits	Annual	14.20%	13.60%	Data only	Data only	A useful indicator to understand the % of working people out of work on benefits, however outturn is beyond control of the Council, therefore data only.		Housing & Regeneration	Sustainable regeneration and growth
NI 154 Net additional homes provided	Annual	136	370	310	302	15/16 target taken from the Local Plan.	Y - target	Planning Services	Sustainable regeneration and growth
NI 159 Supply of ready to develop housing sites	Annual	108%	112%	105%	105%	15/16 target based on the Local Plan and a national policy requirement for a five-year-plus-5% supply of ready-to-develop housing sites.		Planning Services	Sustainable regeneration and growth
NI 157a Processing of planning applications: Major applications	QPI/ Annual	60.61%	59.46%	65%	65%			Planning Services	Balancing the budget/best possible services
NI 157b Processing of planning applications: Minor applications	QPI/ Annual	78.28%	81.67%	75%	75%			Planning Services	Balancing the budget/best possible services
NI 157c Processing of planning applications: Other applications	QPI/ Annual	91.10%	90.83%	85%	85%			Planning Services	Balancing the budget/best possible services
NI 195a Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Litter	QPI/ Annual	Not collected	0.87%	1.61%	1.61%			Street Scene	Caring for our Borough
NI 195b Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Detritus	QPI / Annual	Not collected	4.04%	7.33%	5.00%	Target adjusted to reflect performance.	Y - target	Street Scene	Caring for our Borough
NI 195c Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Graffiti	QPI / Annual	Not collected	0.17%	1.11%	1.00%	Target adjusted to reflect performance.	Y - target	Street Scene	Caring for our Borough
NI 195d Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting): Fly-posting	QPI/ Annual	Not collected	0.00%	0.00%	0.00%			Street Scene	Caring for our Borough
WL01 No. bins missed per 100,000 collections	QPI/ Annual	65.94	81.98	70	80		Y - target	Street Scene	Caring for our Borough
WL06 Average time taken to remove fly tips (days)	QPI/ Annual	1.11	1.08	1.09	1.09			Street Scene	Caring for our Borough
WL122 % Vehicle Operator Licence Inspections carried out within 6 weeks	QPI/ Annual	Not reported	Not reported	100%	100%			Street Scene	Balancing the budget/best possible services

Performance Indicator	Reported	2012/13 Outturn	2013/14 Outturn	2014/15 Annual Target	2015/16 Annual Target	Notes for 15/16	Changes from 14/15	Service	Priority/ Service link ¹
NI 191 Residual household waste per household (Kg)	QPI/ Annual	490.26	527.19	493.91	495	Target rounded.	Y - target	Street Scene	Caring for our Borough
NI 192 Percentage of household waste sent for reuse, recycling and composting	QPI/ Annual	47.75%	43.07%	47.58%	50.00%	Target rounded.	Y - target	Street Scene	Caring for our Borough

Notes: ¹ Priorities in full: Caring for our Borough by delivering the small improvements that can make a big difference; Balancing the budget and providing the best possible services within the resources available; Focussing upon sustainable regeneration and growth within the Borough;

² Managed through BT Lancashire Services contract. Contractual targets are annual and set via SLA. Quarter targets reported in performance reports are provided only as a gauge.

Reporting of PIs is dependent on collection mechanisms remaining in place. Satisfaction CIT_ indicators are collected via the Citizen & Stakeholder Survey, with the exception of CIT04, which is collected via a survey of tenants and residents.

Coding of PIs may be subject to change during the year.

APPENDIX B: PROPOSED FOR DELETION FROM THE CORPORATE SUITE FOR 2015/16

PI Code & Short Name	Reported	Notes	Changes from 14/15	Service	Priority/ Service link ¹
WL24 % Building regulations applications determined within 5 weeks	QPI/ Annual	This local indicator does not provide a meaningful measure of performance.	Delete	Planning Services	Balancing the budget/best possible services



AGENDA ITEM: 5(j)

**CABINET: 17 MARCH 2015
EXECUTIVE OVERVIEW & SCRUTINY
COMMITTEE: 1 APRIL 2015
COUNCIL: 15 APRIL 2015**

**Report of: Managing Director (People and Places)
Managing Director (Transformation)**

Relevant Portfolio Holder: Councillor Westley

**Contact for further information: Mrs G Rowe (Extn. 5002)
(E-mail: Gill.Rowe@westlancs.gov.uk)
Ms K Webber (Extn. 5005)
(E-mail: Kim.Webber@westlancs.gov.uk)**

SUBJECT: BUSINESS PLAN 2015-18

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To seek approval for the "Business Plan 2015-18" (Appendix A).

2.0 RECOMMENDATIONS TO CABINET

2.1 That the "Business Plan 2015-18" attached as Appendix A to this report be approved and referred to Council for adoption.

2.2 That authority is given to the Managing Directors to make any final amendments to the document, prior to publication.

2.3 That call-in is not appropriate for this item, as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 1 April 2015.

3.0 RECOMMENDATION TO EXECUTIVE OVERVIEW AND SCRUTINY

3.1 That the "Business Plan 2015-18" attached at Appendix A to the report be considered and that agreed comments be referred to Council on 15 April 2015 for consideration.

4.0 RECOMMENDATIONS TO COUNCIL

- 4.1 That the “Business Plan 2015-18” attached at Appendix A to the report be adopted.
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5.0 BACKGROUND AND CURRENT POSITION

- 5.1 The Council’s vision, values and priorities from 2014/15 have been retained for 2015-18 providing a consistent, strategic focus for the Council.
- 5.2 The draft 2015-18 Plan sets out the Council’s strategy to deliver its priorities and the savings, efficiencies and income required over a three-year period. The purpose of this is to deliver a managed approach to balancing the budget whilst delivering the Council’s vision over the next three years.
- 5.3 A detailed delivery plan for the actions will be developed. Given the established procedures and success of the 2011-15 plan process, progress against the Business Plan will be provided with six-month reports through “Members Updates” and a full Annual Report to Council.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has various links to the Sustainable Community Strategy through the wide range of actions contained within it.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The Business Plan 2015-18 appended to this report will ensure the Council is able to continue to pursue its objectives, within the resources available. It sets out a range of ways in which efficiency savings, income and cost reductions might be achieved in the future.

8.0 RISK ASSESSMENT

- 8.1 The development of the Business Plan and associated processes mitigates against the risks that the Council will not deliver its aspirations within a balanced budget.
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Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

Appendix A: "Business Plan 2015-18" (version dated 04.03.15)

Appendix B: Equality Impact Assessment

Appendix C: Minute of Cabinet (Executive Overview and Scrutiny Committee only)

Appendix D: Minute of Executive Overview and Scrutiny Committee (Council only)



Business Plan 2015-18

DRAFT

Version 04.03.15

Council 15 April 2015

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LEADER'S STATEMENT

The Business Plan 2015-18 continues our established approach to delivering our vision and priorities whilst also achieving permanent savings, efficiencies and income to maintain a balanced budget position.

Our purpose as a Council is to provide the best possible services within the resources available. As a direct response to decreasing levels of government grant and reduced income in a number of areas we have had to reconsider how we are best able to do this. It is anticipated that this situation will continue for some years to come.



**Leader of the Council
Councillor David Westley**

In addition to the 30% savings achieved during the 2011-15 Business Plan period, the Council has identified further savings of £xxx/%* necessary during 2015-18, with £1.3m** required for 2015-16 alone¹.

Creating a sustainable Council budget has been the driver behind all the recent service reviews and reshaping services remains fundamental to all our activities. Our aspiration is to maintain performance and the range of services that we provide where possible, but services must match the financial reality and have challenging but realistic service levels in place. Identifying local needs through listening and consulting with residents, businesses and stakeholders allows us to prioritise spending in consideration of these findings. Where appropriate, we may consider the further use of reserves to allow time to produce results, however simply using reserves without ensuring the sustainability of services is not a viable long-term strategy.

Following the major cost-saving exercises and organisational changes of recent years, during 2014/15 effort focussed on a detailed exercise to review base budgets and achieve savings as well as preliminary work on developing further MSR options. Since previous options for efficiency savings and non-priority service areas have now largely been taken, these future options are likely to require difficult decisions and will be consulted on and finalised later in 2015/16.

As a result of our managed approach to change, we anticipate being able to deliver our services on budget in 2015/16 whilst broadly maintaining the standard and range of services offered. We have the best record in Lancashire for zero or low Council Tax increases, with Council tax having now been frozen for the last 5 years. The freeze is likely to continue for 2015/16 which, allowing for inflation, equates to a saving of £38.45 for a Band D property.

The Housing Revenue Account (HRA) has allowed an ambitious investment programme of modernisation and regeneration of our housing assets to be undertaken and this is reflected in the Business Plan.

¹ Tbc following calculations from the finance settlement

Our priorities are therefore to balance our budget and, as guided by our residents and stakeholders, to care for our borough and work towards sustainable regeneration and growth.

Our vision is that we will be a Council to be proud of, delivering services that are:

- **Lean** – we will continue to look for ways of providing services at reduced cost.
- **Local** – where Council services are best provided through local delivery we will work with partners including the voluntary and community sectors.
- **Fair** – to the tax payer and to staff. A measured approach to change allows us to plan for the likely further contraction of the organisation. We will aim to minimise compulsory redundancies where possible as this is better for the tax payer, for staff and for the local economy. We will also be transparent – clear about what we spend public money on, and why.

Applying ‘lean, local and fair’ to our service offer has allowed us to continue to provide levels of service above those required by our statutory duties. It has also enabled us to deliver positive outcomes and developments within a wide range of service areas. For example, during 2014/15:

- **Leisure** – the Council has continued to invest in its parks and play areas funded by Section 106 Agreements from property developers’ financial contributions, for example Shore Road (Hesketh Bank), Mossy Lea (Wrightington) and Westhead playing fields. This is in addition to specific capital funding used for Coronation Park (Ormskirk) and Richmond Park (Burscough) play areas.
- **Customer Services** – improved customer service was the motivation behind investment in our new website and additional staffing in the contact centre. We now have a rise in online payments of nearly a third compared to the same period last year and an increased focus on the quality and outcomes from customer contact via telephone.
- **Local Plan** – significant development in the borough has been progressed as a result of the Local Plan, including the adoption of development briefs for Grove Farm (Ormskirk) and Firwood (Skelmersdale) and the Yew Tree Farm (Burscough) Master Plan is nearing completion.
- **Social Housing** – the HRA £65 million investment programme to improve our housing stock continued to make good progress and the Firbeck estate regeneration has been boosted by obtaining approval from the government to borrow an additional £2.5m that will deliver 39 new properties.
- **Investment in town centres** – our main town centres continue to be improved and developed. The ongoing Skelmersdale town centre regeneration project saw two planning applications received for competing developments. One has been approved and the other is under consideration. In Ormskirk, using an Environmental Town & Village Centre Improvement Fund, new low-energy Christmas lights were put up and the town centre car parks (Hants Lane, The Styles, Market Way) were resurfaced in early 2015, and revised pay and display arrangements applied that recognise changing shopping habits.

- **Economic Development & Regeneration** – locally, our ‘Greenshoots’ programme to update and enhance industrial estates by providing modern accommodation is well underway. West Lancashire Investment Centre (Skelmersdale) has also seen an upturn in occupancy levels and is now fully let and a clear indication of the recovery. Further afield, the potential for new growth opportunities has been assisted through our joining of the Liverpool City Region Combined Authority as an Associate Member. In addition, we are now engaged in initial cross-county discussions for a combined authority for Lancashire.

Many of these projects are part of the Business Plan and these and other activities will be further detailed in our 2014/15 Annual Report.

Recent past performance puts us in a strong position but further reductions in government funding over the forthcoming years will create significant financial challenges. The Council will keep working with residents, partners and businesses to ensure that we continue to provide affordable, sustainable services that meet the needs of West Lancashire.

MANAGING DIRECTORS' REPORT

The Business Plan 2015-18 outlines our positive approach to managing the Council and its services within the context of continued funding cuts and public sector spending restraint.

The local government finance settlement, announced in December 2014 confirmed that there will be no further funding reductions for Councils in 2015/16 on top of those already announced. However, those already announced mean that significant net cost reductions will have to be found in order to balance the Council's General Revenue Account going forward.

There is a more positive picture with the Housing Revenue Account, which specifically funds the housing landlord activities of our organisation and contributes to our overall corporate priorities

This Business Plan therefore sets out the key areas of work to deliver the Council's priorities within a balanced budget, including through improving efficiency, reducing costs and generating income. This ensures resources are focused on our priorities whilst limiting the impact of reduced budgets on services.

We have also been able to embark on a carefully considered and ambitious programme of investment in the housing stock which is driven by the vision "to be a top performing landlord within an economically vibrant West Lancashire."

The plan works towards a target for GRA budgetary savings of £x** or £%** for 2015-18. Our well-embedded and successful Major Service Review programme has proved an effective vehicle for delivering savings and efficiencies and identifying income opportunities and we will continue to use it. Clearly, as the financial squeeze continues, we will continue to review and re-assess our own approach as well as learning from best practice and innovation championed by other organisations. Having been proactive in looking for budget options with minimal impact on service levels for the past four years, these are now increasingly difficult to find. Traditional expectations of service provision will be challenged and some tough and potentially unpopular decisions will need to be made.

Our priority of sustainable regeneration and growth assists in ensuring that West Lancashire's economy continues to perform well in comparison to others, bringing jobs and income to the area. Work to deliver the regeneration of Skelmersdale Town Centre features highly, and we continue to promote West Lancashire within the wider region. We are corporate members of the Liverpool Local Enterprise Partnership, which has enabled key sites such as the G-Park sites in Skelmersdale to be promoted as part of the Liverpool Superport initiative, and also sit within the remit of the Lancashire LEP. We have joined the Liverpool City Region Combined Authority on an associate/non-voting basis and have also been proactive in discussions in relation to a Lancashire Combined Authority. This involvement is reflected within the Business Plan, where one of our priority actions is a focus on influencing the regional agenda in the

interests of the borough. This activity will support the delivery of our Economic Development Strategy.

A number of key projects are directed towards our priority of caring for our borough, including two which will significantly improve the look of one of West Lancashire's main town centres, Ormskirk, through the Moor Street scheme and in respect of the early proposals surrounding the bus station developments. The production of, and consultation on, Ormskirk Town Centre Strategy is also key. The ongoing work for the Skelmersdale Vision is one of the main drivers behind this priority within Skelmersdale.

As Managing Directors, we want to foster a culture that enables staff to work to and develop their strengths, and which ensures that staff are involved and informed about the context in which we are working. This includes the Council's priorities and being open about any changes that will impact on them. Our series of meetings with staff across all service areas, partners, local businesses and stakeholders within the borough, and neighbouring Chief Executives have all been invaluable in gauging opinion about the Council from inside and out. With this insight, and by promoting our '*One Council – Team West Lancs*' message and our values, we hope to better meet the needs of those who work with us.

We would like to thank staff for their fantastic efforts over the past year. National issues continue to impact on our work, but locally staff continue to get on with the job and deliver the services that make us a Council to be proud of.



Kim Webber



Gill Rowe

Managing Directors

VISION, VALUES AND PRIORITIES

The Council's vision is:

To be a Council to be proud of – delivering services that are lean, local and fair.

The Council's values are:

We will deliver our vision by continuing to be an innovative organisation which:

- prioritises customers and the services that are most important to quality of life;
- works as 'one council' to provide a joined up approach;
- is open and accountable in the way that it makes decisions;
- develops and values employees;
- promotes equality and diversity; and
- works in partnership to benefit the borough.

Our values underpin the way in which we will deliver our priorities and achieve our vision.

Our Corporate Priorities are:

- balancing the budget and providing the best possible services within the resources available;
- focussing upon sustainable regeneration and growth within the borough;
- caring for our borough by delivering the small improvements that can make a big difference.

(We will minimise uncertainty for staff and stakeholders by continuing to implement a managed approach to change and explore innovation as a means to secure further value for money.)

Our services will continue to prioritise the following, subject to affordability:

- Protect and improve the environment and keep our streets clean and tidy;
- Combat crime and the fear of crime;
- Work to create opportunities for and retain good quality jobs in particular for local people;
- To be a top performing landlord;
- Improve housing and deliver housing that meets the needs of local people, including affordable housing; and
- Provide opportunities for leisure and culture that together with other Council services contribute to healthier communities.

FINANCIAL POSITION

General Revenue Account (GRA)

*[*Borough Treasurer to provide text following Council on 25 February*]*

Housing Revenue Account (HRA)

*[*Borough Treasurer to provide text following Council on 25 February*]*

ORGANISATIONAL STRUCTURES

The Council's senior management team provides consistent management stability. We continue to consider the appropriateness of staffing structures within services, in particular during Organisational Reviews.

Organisational structures are illustrated on the following pages.

CABINET MEMBERS & PORTFOLIOS



Leader of the Council
Councillor David Westley

Chairman of the Cabinet; community leadership; partnership working; major policy issue not specified within other portfolios; matters of urgency; corporate/business planning; legal & democratic services; press & media strategy; One West Lancs; corporate procurement; Freedom of Information. Liaison for: LGA; DCN; other Lancashire & neighbouring authorities; Parish Councils; town twinning; Lancashire & Liverpool LEPS; Marketing Lancashire. Regeneration: external funding & inward investment; authority & borough marketing; business grants & training advice; corporate & commercial property portfolio; asset management; valuation advice; rating appeals co-ordination.



Deputy Leader & Street Scene
Councillor Paul Greenall

Transport: fleet/ garage/depot facilities; street cleansing; grounds maintenance; stores. Waste disposal & recycling: waste management, including through partnership; domestic & trade refuse; green waste & recyclables collection; farm round.



Planning & Development
Councillor Martin Forshaw

Planning policy; Local Development Framework; development control; building control & enforcement; Skelmersdale Vision; conservation of built & natural environment; arboricultural & landscape services; conservation areas, tree preservation, landscape improvements; council- owned unadopted footways, highways & grit bins; liaison with utility companies/Highway Authority for highway works & transportation issues; off-street public car parking & enforcement; Ormskirk market & bus station; land drainage & coastal engineering; 'green' & sustainability issues including Council activities.



Housing & Transformation
Councillor Jane Houlgrave

Public sector housing: repairs & maintenance; housing allocations; tenancy management; former tenant arrears; sheltered housing & tenant empowerment/participation. Housing strategy: housing advice service; Supporting People Initiative. Links with social services, health providers and regulatory bodies. Housing finance including self-financing business plan. Transformation: customer relations; consultation & community engagement; corporate & strategic HR; ICT and revenues & benefits services, including LCC/BTLS contract.



Health, Leisure & Community Safety
Councillor David Sudworth

Health & safety and food safety. Licensing taxis, public entertainment/alcohol, charities etc. Dog & pest control; animal welfare. Pollution control; nuisance complaints; environmental monitoring & sampling. Foul drainage & private sewers; flytipping; unsanitary premises; disposal of the dead; emergency planning & business continuity. Community Safety. Leisure Trust & Serco contracts. Playgrounds; arts development, Chapel Gallery. Outdoor recreation; health improvement; facilities and services in partnership to develop local communities. Countryside service; formal parks, open spaces, rights of way, environmental improvements. Private sector housing: renovation & disabled facilities grants; home energy efficiency; home care link; homelessness; unfit homes. Children's Services; Social Cohesion; Voluntary Sector Grants.



Resources
Councillor David Whittington

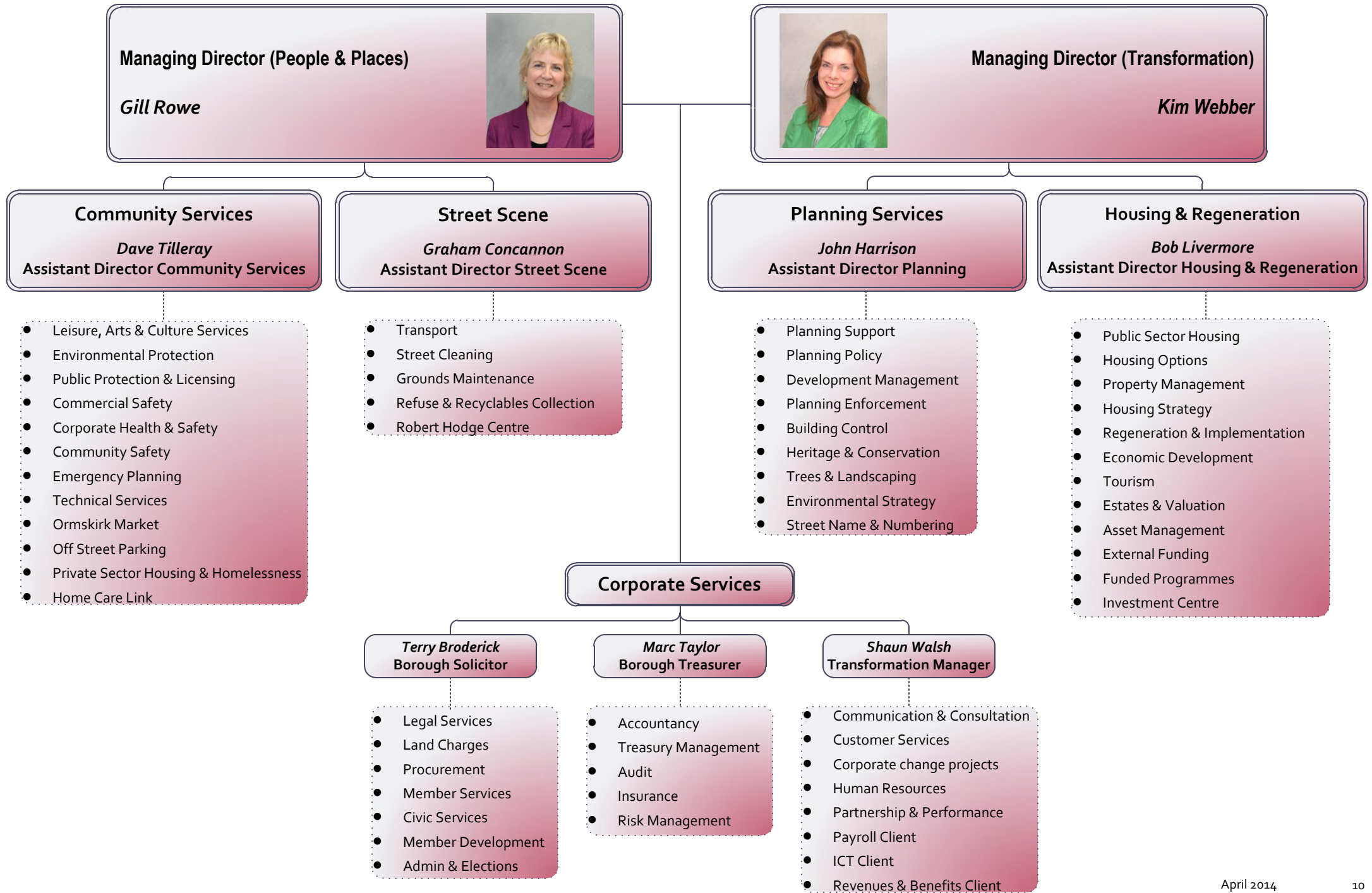
Accounting services; capital and revenue estimates and budgeting; annual statement of accounts; treasury management; internal audit; risk management & insurance; data quality; value for money; major service reviews; organisational re-engineering; performance management.



Town & Village Centres
Councillor David Griffiths

Development of market town and village centre strategies and promotion of these centres.

SENIOR OFFICER MANAGEMENT STRUCTURE



CORE FUNCTIONS

West Lancashire is served by a County Council, Borough Council, 20 Parish Councils and one Parish Meeting.

Main services provided by Lancashire County Council (LCC)

LCC is responsible for providing many of the services in the borough. Around 73% of the council tax collected in West Lancashire is spent on services that the County Council delivers.

Children and Young People

Incorporates the County Council's statutory role as a Children's Services Authority with a duty to promote co-operation and wellbeing of children and young people; make arrangements to safeguard and promote welfare; and prepare and publish a strategic plan setting out how services for children and young people will be provided.

The functions also include the County Council's powers and duties in relation to schools, including: access and school transport; school improvement and tackling failure; special educational needs; school attendance; educating excluded pupils and pupil welfare.

Adult Services, Health and Wellbeing

Responsible for assessing the needs of vulnerable adults and their carers and securing the provision of social care services to meet these needs in line with the County Council's criteria. Also responsible for public health, adult learning, county libraries, arts development, county museums, record office, welfare rights, coroners' and registrars' services.

Environment

Responsible for the County Council's duties and policies as Highway Authority and Planning Authority; for waste disposal, sustainable development, tourism, countryside services and the Lancashire Highways Service including highway maintenance services to the County Council and providing a grounds maintenance service to County Council property. Also responsible for the Trading Standards Service and the County Analyst's Laboratory.

Lancashire County Commercial Group

Responsible for servicing County Council and other public service vehicles; cleaning County Council buildings; providing a catering service; providing a school crossing patrol service and providing a range of residential care services in County Council homes for the elderly, together with day care and home care services.

Main services provided by West Lancashire Borough Council

Around 12% of the council tax collected in West Lancashire is spent on services delivered by the Borough Council.

The Council also provides some services on behalf of LCC. These arrangements have been put in place in areas where devolving management and resources locally can provide a more efficient service, for example the Public Realm partnership with LCC whereby we deliver verge cutting and hedge trimming within our borough.

Planning Services

Responsible for all planning applications, building regulations and enforcement, as well as conservation, heritage, tree protection, planning policy and street name and numbering.

Housing & Regeneration

Responsible for providing social and affordable housing, and providing housing advice services. The service manages its housing stock, the Council property portfolio and a large commercial portfolio. In addition, the function also undertakes the principle work of the Council in relation to creating jobs and bringing investment into the borough.

Community Services

Responsible for environmental health (including dog and pest control, food safety, health promotion, health and safety, public health and pollution control); Community safety (including CCTV) and funding contributions for Police Community Support Officers; flood defences, shoreline management and methane monitoring; public protection and licensing; private sector housing and homelessness; Ormskirk market and off-street parking.

Also responsible for country parks, the ranger service, sports pitches, playgrounds, parks and Chapel Gallery. Our pools and sports centres are run by West Lancashire Community Leisure Trust.

Street Scene

Responsible for the collection of waste and recycling from homes and cleaning all streets except the major highways. Also responsible for grass cutting and grounds maintenance (of open spaces, parks and roadside verges).

Revenues & Benefits

West Lancashire Borough Council collects council tax and business rates that is spent by the Borough Council, LCC, the Police and Fire Authority and Parish Councils. BT Lancashire Services (BTLS) manages the collection on behalf of the Council. In addition, housing benefits and council tax benefits are also managed by BTLS on behalf of the Council.

Main services provided by Parish Councils

West Lancashire has 20 Parish Councils and one parish meeting. These cover the entire borough except for Ormskirk and Skelmersdale. Parish Councils are financed by raising a small council tax on all residential properties within a parish.

Parish Councils are a key tier of local government and provide a way of making sure services meet the needs of residents by influencing decisions that affect local people.

Parish Councils' powers include: the provision of facilities (such as allotments, leisure, bus shelters, litter bins, car parks, community centres, parks and open spaces); representation (e.g. planning applications); and wellbeing (to spend on any activity which adds to the wellbeing of its community).

West Lancashire Borough Council and (signatory) Parish Councils have an established Charter setting out how the Borough and Parish Councils will work together, whilst balancing the needs of the wider West Lancashire community and recognising our respective responsibilities as autonomous, democratically elected, statutory bodies.

KEY ACTIVITIES

Workstreams

Actions within the Business Plan are aligned directly to the Council's priorities. This provides a clear focus on key strategic aims and therefore a framework for the delivery of our vision. Projects from the previous Business Plan that have concluded or will not be monitored as part of the 2015-18 Plan will be detailed in the Annual Report. Outlines of the actions for the forthcoming year are given below.

Balancing the budget and providing the best possible services within the resources available

Actions 2015/16

-  Major Service Reviews
-  Organisational Re-engineering (Housing Implementation)
-  Housing Asset Management Plan
-  Welfare Reform
-  Sheltered Housing Offer
-  Corporate & Commercial Property Appraisal

Our successful **Major Service Review Programme** (MSR) examines every aspect of the Council's business to develop options for alternative forms of service delivery. It includes streamlining services and prioritising their affordability and desirability. MSR has been our key tool for delivering savings and efficiencies in recent years. Four years of applying the process has achieved cumulative savings of £xxxx**. It is however increasingly difficult to identify options that offer the level of savings needed without impacting upon service delivery. Having achieved savings through a

base budget review for all services during 2014/15, consultation on a range of MSR options will be carried out during 2015/16.

Reviewing services has also helped inform our **Organisational Re-engineering (OR)** programme. Action has been targeted at the parts of our organisation where outcomes can deliver savings through efficiencies, whilst also considering improving service delivery and customer accessibility. During the year, work around Property Services Day-to-day Repairs Maintenance and Voids Maintenance will be concluded and recommendations made.

The **Housing Asset Management Plan** is a five-year investment scheme to modernise and enhance the Council's housing stock and ensure its long-term sustainability. In addition to prioritised improvement works such as for kitchens, bathrooms, heating systems, windows and doors, the first revival scheme (see *Firbeck Revival*) is well underway and a second revival scheme Beechtrees (Digmoor, Skelmersdale) will be progressed during the third year of the plan.

The main focus of **Welfare Reform** work within the Council remains the introduction of Universal Credit (UC). Together with partners, a UC Task Group is working to minimise the impact of UC on affected households within West Lancashire. The first claimant group was introduced in the borough in September 2014 and the timeline for further groups is to be confirmed by the government in due course as part of its national roll out programme. The impact of welfare reforms specifically on Council tenants (and therefore Council income) has been mitigated directly by the Council in a number of ways, for example through dedicated assistance for those who have not previously paid rent or for those who may benefit from re-housing following the introduction of the social sector size criteria. Personal Budgeting Support is also available. During 2015/16, the Council will continue to be an active part of the UC Task Group. We will also implement a Financial Inclusion Strategy that provides a framework of services to assist the financially excluded make the most of their money and access appropriate financial products and services.

A significant reduction in grant from Lancashire County Council of almost £200K from April 2015 meant that a review of WLBCs **Sheltered Housing Service Offer** had to be undertaken. Residents will be consulted further on a range of proposals for service reconfiguration. A number of options are being explored to assist the process of balancing the budget initially from April 2015 and then again from April 2017, since LCC are considering ceasing the grant to Sheltered Housing entirely from 2017/18.

A **Corporate & Commercial Property Appraisal** will review the daily operational expenses of the Council's corporate properties to establish utility and maintenance expenditure. This exercise will identify where savings may be made to reduce running costs for example through the introduction of energy saving measures and possible alterations or improvements to the fabric of the building. The functionality of the buildings will also be considered along with the potential of alternative working practices, such as home working, mobile working and 'hot desking', which could relieve pressure on these resources and free areas for other uses.

In addition to the projects outlined above, the partnership with LCC/BT Lancashire Services which includes ICT Services means that significant upgrades to the Council's ICT infrastructure continue to be implemented as well as service efficiencies and improvements. Both the customer and the organisation will benefit from our work towards channel migration which facilitates being able to 'do it online'. Expanding our digital service offer where appropriate for transactions/processes extends service availability, reduces costs through reducing direct contacts and meets customer expectations for modern service delivery.

Focussing upon sustainable regeneration and growth within the borough

Actions 2015/16

-  Skelmersdale Vision
-  Firbeck Revival
-  Land Marketing & Sale
-  Economic Development Strategy & Delivery
-  Ormskirk Town Centre Strategy & Delivery
-  Infrastructure Delivery – Rail
-  Influencing the Regional Agenda

Skelmersdale Vision seeks to secure regeneration in the form of new commercial, leisure and residential development alongside existing property and environmental enhancements across a large area of land within and surrounding Skelmersdale town centre. The project is being implemented in partnership with the Homes and Communities Agency, LCC and St Modwen.

The project has so far facilitated the delivery of the West Lancashire College campus; the LCC Youth Zone and stimulated commercial interest in Skelmersdale resulting in the submission of competing planning applications for leisure development incorporating the provision of a cinema and associated food outlets. During the year ahead we will be seeking to secure the sale of one or more residential sites located adjacent to the town centre; to facilitate the delivery within the town centre of a cinema (with associated food outlets/restaurants/bars); to enhance the retail offer; and to improve the public realm leading to the western entrance of the Concourse.

Firbeck Revival is an £8m initiative to revitalise and enhance the Firbeck estate (Skelmersdale) through a phased scheme. The scheme broadly covers home improvements to Council properties (kitchens, bathrooms, windows, doors, roofs and external wall insulation), and external improvements to privately owned properties (new roofs and external wall insulation, and new windows/doors if not already done); demolition of flats (excluding Firbeck Court) as well as property construction and redevelopment of the street scene. The original £5.5m scheme was expanded in 2014 through additional borrowing of £2.5m which allows further new properties to be developed in 2015/16.

A two-year pilot project involving the Homes & Communities Agency and the Council tested the land disposal elements of a proposed national Community Land Auction model. The pilot saw development sites being brought forward to meet the objectives of the Local Plan. It is anticipated that **Land Marketing and Sale** of at least part of the land will take place in 2015, with remaining sites being sold over several years.

Implementing the **Economic Development Strategy** will deliver further economic growth and prosperity to the borough through key activities delivered by the Council and our partners. The key issue of skills gaps will be addressed by working with partners to improve the skills and development opportunities of local people thereby helping to sustain employment and support the growth of our businesses. The strategy's fourteen 'key asks' will enable the Council and partners to respond to funding opportunities to support the development and implementation of regeneration projects. The action plan will deliver short, medium and long-term actions to drive forward further economic growth in the borough.

The **Ormskirk Town Centre Strategy** provides a clear, strategic direction and initiatives to ensure the long term economic and social viability of the town. The strategy will result in a strong vision and identity for the town, developed and delivered through stakeholders and partners. Short, medium and long-term goals are defined for key actions around brand, marketing and town centre management, building & place, vacancy levels, the market, car parks, transport & access and the night-time/evening economy.

Infrastructure Delivery focuses on assisting improvements in rail transport. Although not a statutory function, the Council engages with partners on a range of transport-related projects to improve the infrastructure of the local area through contributing to the content of plans and projects as appropriate, advising partners, facilitating local consultations and raising awareness in the local community.

The Skelmersdale rail link is included in LCC's West Lancashire Highways and Transport Masterplan and WLBC's Local Plan, and so is a key infrastructure project to unlock economic growth in Skelmersdale. During 2015/16, subject to the feasibility and value for money of the outline proposal, the GRIP 2² Study and Outline Strategic Business Case will be finalised, enabling progress to the GRIP 3 stage and Full Strategic Business Case.

Through developing links with regional bodies, we aim to promote the key strategic projects for West Lancashire so that they receive appropriate recognition and **influence the regional agenda**. The Council became a Corporate Member of the Liverpool Local Enterprise Partnership (LEP) in April 2014, which has assisted marketing sites in West Lancashire and positioning the borough to benefit from the Liverpool Superport and wider regional agenda. We also engage on sub-regional economic matters with LCC and through them with the Lancashire LEP. Our Liverpool City Region Combined Authority Associate Member status provides opportunities to





² Governance for Railway Investment Projects – process carried out by Network Rail

liaise on sub-regional matters and to be involved in appropriate working groups. We will also consider engaging with the Greater Manchester LEP as appropriate, possibly through our links with Wigan Borough Council.

A significant contribution to this priority is delivered by the Planning Service. The Service is responsible for the Local Plan which influences the future growth and development of the borough by ensuring that new homes, jobs and services are located in the most sustainable places and also provides the framework for delivering the necessary infrastructure, facilities and other development to make this possible.

Caring for our Borough **by delivering the small improvements that can make a big difference**

Actions 2015/16

-  Moor Street (Ormskirk)
-  Ormskirk Bus Station Development
-  Leisure Strategy & Development
-  CCTV Scheme Completion

In partnership with LCC, a major £700,000 project is set to improve Ormskirk's **Moor Street** to make the area a more attractive place to visit, shop and do business, thereby helping improve the vitality of the town centre. The new layout will see the street re-paved and re-designed to accommodate market stalls in a new arrangement as well as identifying a small square for events. As part of the scheme new seats, street lights, litter bins and tree planting are being installed, drainage improved and traffic restrictions strengthened.

Working in partnership with LCC in relation to **Ormskirk bus station**, the best use of LCC funding will be made to provide an improved bus station facility. It is hoped that the refurbishment will enhance the appearance of the town centre as well as benefitting the passenger experience.

A strategic review of leisure provision was carried out considering the needs of the borough, local planning developments, facility planning/replacement, the economics/affordability of service provision and the changing population profile. The resulting **Leisure Strategy** will cover the period to 2025 and will inform the future of leisure and cultural services by providing direction in the short, medium and long-term.

The Council has operated public open space CCTV cameras for over a decade and there are currently 84 public open space cameras across the borough. Monitoring takes place 24/7 and plays a vital role in helping prevent crime and disorder and increasing public safety. Council funding was approved for a further seven cameras in 2014 for completion of the **CCTV Scheme**, with two each in Tarleton, Scarisbrick

and DownHolland and one in Burscough. These are due to become operational by late autumn 2015.

In addition to the projects above, our borough's cared for appearance is principally down to the operations of our Street Scene service. Around 800 incidents of flytipping, 800 litter bins and 250 dog waste bins, collection of waste and recycling from over 48,000 properties, cleansing of 3 million metres of roadway and 3.5 million square metres of hard landscaping, grass cutting, weed spraying and tree maintenance are dealt with each year. We are also making a difference with many new or enhancements of existing play areas funded by s106 monies.

BUDGET STRATEGY

*[*Borough Treasurer to provide text following Council on 25 February*]*

A graphical representation of the budget strategy is shown below.

*[*Borough Treasurer to provide figures for graph*]*

RESOURCE BUDGETING AND STAFFING

The Council's 2014/15 income was made up as follows:

*[**pie chart of income 2014/15 - Borough Treasurer to provide figures.]*

In 2014/15, the budget was spent as follows:

*[**pie chart of expenditure 2014/15 - Borough Treasurer to provide figures.]*

STAFFING

The Council values its employees and provides a supplement to lower paid staff so that they are paid the equivalent of the Living Wage. We are committed to ensuring that staffing levels (currently around 460 FTEs, not including staff managed through our secondment agreement with LCC/BTLS) are appropriate for delivering services to agreed standards. In the current financial climate it is anticipated that the workforce will continue to reduce in size during the Business Plan period and beyond.

To manage staffing levels effectively and sensitively, the Council will continue to monitor the use of recruitment appropriately. This will ensure there is an adequate balance between maintaining an effective workforce supply and preserving potential redeployment opportunities for staff that may be displaced, through the judicious use of temporary recruitment to co-ordinate with the requirements of the MSR process. The Council will continue to seek to minimise compulsory redundancies as far as possible and arrive at change through voluntary measures wherever feasible.

Graduate Recruitment is encouraged wherever possible within service areas. Additional work is being carried out to facilitate work experience placements for University and College students and from Job Centre Plus. To complement the work undertaken by the Regeneration Service in the West Lancashire Challenge project, work is also taking place on the implementation of an apprenticeship scheme.

CONSULTATION AND EQUALITIES

The Council has a duty to consult and involve representatives of local persons and others where appropriate in the exercise of its functions. A new Consultation and Engagement Protocol has recently been developed for staff.

We recognise that people who provide and use our services come from diverse backgrounds and have different experiences and needs. We value this diversity and the ways in which it contributes to the richness of life and character of our community.

We develop, commission and deliver services in a way that will help to overcome discrimination and disadvantage. We want every resident and visitor to West Lancashire to be treated fairly and with dignity regardless of age, gender, disability, race, belief and sexual orientation and with respect to their marriage and civil partnership, pregnancy and maternity or gender reassignment status. We will use our position and influence to promote equality in all aspects of community life. Further information around our work on equality, including monitoring our progress in addressing discrimination and disadvantage in our borough, can be found on our website.

MONITORING OF ACTIVITIES

Business Plan Monitoring

Performance and progress against the 2015-18 Business Plan will be reported annually to the Council and the public in the form of an Annual Report. In addition, Members receive regular reports regarding progress against the actions. A Head of Service is identified as the 'lead officer' for each of the actions. Lead officers regularly monitor progress and performance against their projects, and report any issues to the Senior Management Team by exception. The plan will be reviewed annually.

Risk Management

Risks around health and safety are proactively managed on a 'plan, do, check' approach and progress against a strategic plan for improvements is regularly provided to Members. The actions of the Business Plan will be entered onto service risk registers as appropriate. Those actions with high risk and high impact for the Council will be included in the Key Risk Register, which is reported to Cabinet and available for call-in through the Overview and Scrutiny process.

CONTACT FOR FURTHER INFORMATION

If you require any further information, or copies of this document in an alternative format, please contact:

Partnership & Performance
West Lancashire Borough Council
52 Derby Street
Ormskirk, L39 2DF
transformation@westlancs.gov.uk
Tel: 01695 577177

Equality Impact Assessment Form



Directorate: Transformation	Service: Partnership & Performance
Completed by: Alison Grimes	Date: 02 January 2015
Subject Title: Business Plan 2015-18	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	Yes
Is a service being designed, redesigned or cutback:	Yes
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	No
Is a programme or project being planned:	Yes
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
<p>Details of the matter under consideration:</p> <p>The assessment is for the first year of the Council's three-year Business Plan, 2015-18. The plan is refreshed annually.</p> <p>The Business Plan is the overarching strategy for the Council and sets the vision and priorities for the Council, summarising the main actions/projects to achieve this. The plan as a whole aspires to maintain performance and the range of services provided by the Council where possible. The plan includes items (actions) which may themselves involve service design, redesign or cutback, or contract specification development, or require budget considerations.</p>	
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	Delivery of the vision and priorities is through a variety of actions and outcomes and outputs will therefore impact on a variety of customers, service users, communities, Councillors and employees depending on the action.
If you answered No to both Sections 1 and 2 provide details of why there is no impact on	

<p>these three groups: <i>You do not need to complete the rest of this form.</i></p>	
<p>3. EVIDENCE COLLECTION</p>	
<p>Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?</p>	<p>Any actions that may impact upon equality groups should be subject to an individual EIA by the relevant service. Given the wide range of actions included, there is unlikely to be a disproportionately negative effect on any single group with protected characteristics.</p>
<p>If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?</p>	<p>As above. The current wide-range of actions included in the plan across many service areas means that there is unlikely to be 'most relevant' protected characteristics affected. This may change with content in the lifetime of the plan.</p>
<p>Which of the protected characteristics are most relevant to the work being carried out?</p> <ul style="list-style-type: none"> Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity 	<p>No No No No No No No No No</p>
<p>4. DATA ANALYSIS</p>	
<p>In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?</p>	<p>The plan applies borough-wide. Given the wide range of actions included, the work detailed in the plan will therefore likely impact on a variety of stakeholders in different ways.</p>
<p>What will the impact of the work being carried out be on usage/the stakeholders?</p>	<p>The overall impact should be positive since the priorities of the plan aim for a positive impact on the borough. Negative impact will be mitigated through individual EIAs by the relevant service.</p>
<p>What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?</p>	<p>No specific consultation has taken place against the draft Business Plan for 2015/2018, however the Council's priorities are informed by the Citizen Survey which gathers views on a range of issues including the Council's budget. The survey results assist the Council in making plans to deliver services and make efficiency improvements. The survey results for 2015 will be available later in the year. Results from the Citizen/Stakeholder Survey provide information about satisfaction with certain Council services and these can be broken down into protected characteristics (other than beliefs,</p>

Appendix B

	<p>culture, marriage/partnership, pregnancy/maternity). The reason for levels of satisfaction is not explored.</p> <p>For proposals developed under the Major Service Review process which are deemed significant, these are fully consulted on in line with Major Service Review processes. This consultation process does provide scope for comment around whether the proposals will affect the user and results are subject to an EIA.</p>
<p>What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?</p>	<p>As above. Individual projects that may impact upon equality groups should be the subject of EIAs themselves with involvement/consultation as appropriate.</p>
<p>If any further data/consultation is needed and is to be gathered, please specify:</p>	<p>MSR consultation will be undertaken as appropriate.</p>
<p>5. IMPACT OF DECISIONS</p>	
<p>In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?</p>	<p>Outlining the Council's plan for managing budgets to better protect services should provide reassurance that local services are being carefully managed to facilitate their continuation. The plan can be provided in alternative formats on request. Impacts of changes resulting from individual actions will be dealt with by the relevant service.</p>
<p>6. CONSIDERING THE IMPACT</p>	
<p>If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).</p>	<p>Any initiatives within the plan that may impact upon equality groups should be subject to an individual EIA by the relevant service. The Council needs to achieve savings and this is increasingly difficult to achieve without impacting somehow on service delivery.</p>
<p>What actions do you plan to take to address any other issues above?</p>	<p><i>No actions.</i></p>
<p>7. MONITORING AND REVIEWING</p>	
<p>When will this assessment be reviewed and who will review it?</p>	<p>The assessment will be reviewed annually as part of the Business Plan refresh process. This will include review by the senior management team.</p>



AGENDA ITEM: 5(k)

CABINET: 17th March 2015

**EXECUTIVE OVERVIEW AND
SCRUTINY: 1st April 2015**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D. Whittington

**Contact: Marc Taylor (Extn. 5092)
(E-mail: Marc.Taylor@westlancs.gov.uk)**

SUBJECT: REVENUE BUDGET MONITORING

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To provide a projection of the financial position on the General Revenue Account (GRA) to the end of the financial year.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the financial position of the GRA be noted including the position on reserves and balances.

2.2 That call in is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 1st April 2015.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That the financial position of the GRA be noted.

4.0 BACKGROUND

- 4.1 In February 2014 the Council approved budgets for the GRA for the 2014-2015 financial year. It is good practice that monitoring reports are produced on a regular basis to ensure that Members are kept informed of the financial position of this account. This is the third quarter monitoring report and is based on information available in January 2015.

5.0 GENERAL REVENUE ACCOUNT

- 5.1 The Council has set a revenue budget of £13.898m for the financial year. The mid-year monitoring report projected an overall favourable variance of £740,000 or 5.3% against this budget. The latest third quarter monitoring figures now project an improvement of £150,000 on this position, and forecast an updated total budget variance of £890,000.
- 5.2 At its meeting in February, Council agreed to use this favourable variance to provide financial support for the budget for 2015-16, as part of the Budget Requirement Report. This means that this budget variance has now been fully allocated.
- 5.3 The projections have been calculated on a prudent basis, and consequently it can be confidently expected that the Council will achieve these budget figures. This will continue our strong track record of managing our financial performance to ensure that the outturn position is in line with the budget. The Appendix to this report provides details on the performance of individual service areas within the GRA.
- 5.4 Employee costs form a significant proportion of the Council's total budget and consequently are very important from a budget management perspective. While the national pay award for different grades of staff varied (with lower paid staff receiving larger increases) the average pay increase was around 1%, which was in line with budget forecasts. The budget also contains a corporate target for staff efficiency savings of £280,000, and the active management of staffing levels will mean that this target should be achieved and exceeded by the year end.
- 5.5 The external income that the Council generates can be one of the most volatile areas of the budget, with income going up and down due to factors outside our direct control. This year income levels are generally in line or performing better than the budget targets, which reflects an improvement in the overall state of the economy.
- 5.6 There are a number of services where income is currently performing below the budget target including Car Parks and Building Control. However these variances are not significant in the context of the Council's overall financial position. More importantly there are a number of areas where income is performing well above the budget target, in particular in relation to Planning application fees and income from Commercial Assets. Consequently in overall terms external income levels are performing well.

5.7 The Major Service Review report to December Council agreed £645,000 of Base Budget Review savings, where budget targets were reviewed and realigned to ensure they were adequate but not excessive and reflected recent financial performance. This latest set of financial performance figures confirms that these Base Budget Review savings should be achievable, and the final outturn position will be reviewed to check whether any further savings of this type can be identified.

6.0 RESERVES AND BALANCES

6.1 The Council agreed an updated Reserves Policy at its meeting in February. This Policy has taken various factors into account including the difficult medium term financial position facing the Council as a result of an ongoing series of reductions in its grant funding. Consequently the GRA will continue to have an adequate level of reserves in place that should enable it to deal with its financial challenges effectively.

7.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

7.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

8.0 RISK ASSESSMENT

8.1 The formal reporting of performance on the General Revenue Account is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Appendix 1 – General Revenue Account Projected Outturn Position

Appendix 2 – Minute of Cabinet (Executive Overview and Scrutiny Committee only)

**APPENDIX 1
GENERAL REVENUE ACCOUNT PROJECTED OUTTURN POSITION**

Budget area	Net Budget £000	Variance from Budget £000	Variance %
Community Services	4,501	-100	-2.2%
Corporate Services			
- Borough Solicitor	1,125	-85	-7.6%
- Borough Treasurer	1,637	-90	-5.5%
- Transformation Manager	1,635	-200	-12.2%
Housing and Regeneration	187	-185	See note
Planning Services	1,466	-320	-21.8%
Street Scene	4,923	-130	-2.6%
Central Budget Items	-122	305	See note
Non Service Items	-1,454	-85	-5.8%
Allocations agreed by Council in February		890	Para 5.2
TOTAL BUDGET REQUIREMENT	13,898	0	0.0%

Table Notes

The budget figures for each Service have been updated to include capital accounting adjustments and the allocation of central budget items to services. These are technical accounting adjustments that do not affect the bottom line budget requirement, which has remained unchanged during the year at £13.898m.

Housing and Regeneration has a relatively small net budget requirement because it contains Property Services which is a support service that recharges most of its costs to other services, and also the Community Related Assets portfolio, which generates a significant amount of external income.

General

It should be recognised that some areas of the budget are within the Council's control, for example the filling of vacant posts to achieve salary savings. However other areas such as external income can be volatile where we are exposed to market forces. In addition some service areas are demand led where it can be difficult to directly control expenditure.

Community Services – Favourable variance £100,000

An overall favourable variance of £100,000 is anticipated across this service area. Salary expenditure is being incurred within the budget estimates and income performance has generally been good although with a number of adverse variances including car parking.

The Home Care Link trading account is performing satisfactorily, and any surplus at the year end will be transferred to the Home Care Link reserve, for future use in line with the reserves policy.

Borough Solicitor – Favourable variance £85,000

Income from Local Searches is currently performing above the budget target to date, and there has also been a substantial amount of Legal Costs recovered. Expenditure is being effectively controlled and there are savings in a range of areas including Elections, Civic Admin and Supplies and Services. When all of these factors are combined it should ensure that the service has an overall favourable variance.

Borough Treasurer – Favourable variance £90,000

There have been savings on employee costs as a result of a number of vacant posts during the year, which will help to contribute towards the corporate target for staff efficiency savings. There have also been savings on external audit costs, pensions, and supplies and services which will ensure that an overall favourable budget variance is delivered over the course of the year.

Transformation Manager – Favourable variance £200,000

There is a favourable budget variance on salary costs across the Service, as well as a range of minor savings on other expenditure headings that have contributed to the overall positive financial position. Income performance has significantly exceeded budget targets in a range of areas including Legal Costs Recovered on Council Tax and recovery of Housing Benefit Overpayments. In addition while the level of Benefits payments is a demand led area that is not under the direct control of the Council, it is expected that a favourable variance will also be achieved in this area in line with the findings of the Base Budget Review.

Housing and Regeneration – Favourable variance £185,000

Regeneration and Estates is forecast to achieve a significant favourable variance. The main reason for this position is higher occupancy levels of our commercial assets, which has resulted in improved income levels being achieved and a reduction in the cost of empty business rates liabilities. The Investment Centre's financial performance has also improved and it is now expected to make a modest surplus for the first time in a number of years.

Property Services is also forecast to achieve a favourable budget variance for the year. Two of the main contributors to this position are staff savings from a vacant post in the earlier part of the year, and extra income being achieved through the renting of garage facilities to an outside contractor. There are a number of variances on the utilities, cleaning, and repairs and maintenance lines of expenditure however they are within tolerance limits for the whole account.

Planning Services – Favourable variance £320,000

Planning Application Fees and Pre-Application Advice charges continue to perform well above their targets. Building Control income, however, continues to perform under its target and there has been no uptake on the LABC income generating Scheme. While the increase in income has been a significant contributor to the projected favourable variance, it should be borne in mind that this income is demand led and volatile.

There will be a favourable budget variance on employee costs and savings have also been achieved through the strict management of supplies and services following the implementation of the recent Organisational Re-engineering of Planning Services and the continuing Major Services Review.

Street Scene – Favourable variance £130,000

The Street Scene service area has implemented the blue bin recycling collection regime this year, which has resulted in a more stream lined workflow, although there are some cost pressures on the staffing budgets. Fuel prices have reduced over the course of the year and the operation around the vehicle maintenance section has realised some savings. These factors coupled with other non–staff cost savings will produce an overall favourable budget variance.

Central Budget and Non Service Items

This heading covers a range of corporate budgets including savings targets, treasury management, and capital charges. Central savings targets for staff and other efficiency improvements are all held in this area. The actual savings that are made in relation to these items are contained within Services. Consequently savings made elsewhere will help to offset the adverse variances on these budget items.



AGENDA ITEM: 5(m)

CABINET: 17 March 2015

**EXECUTIVE OVERVIEW &
SCRUTINY COMMITTEE:
01 April 2015**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Whittington

**Contact for further information: Mrs K Samosa (Ext. 5038)
(E-mail: karen.samosa@westlancs.gov.uk)**

SUBJECT: CAPITAL PROGRAMME MONITORING

Wards affected: Borough wide

1.0 PURPOSE OF REPORT

1.1 To update Members on the current position in respect of the 2014/2015 Capital Programme.

2.0 RECOMMENDATIONS TO CABINET

- 2.1 That the current position in respect of the 2014/2015 Capital Programme be noted.
- 2.2 That the uses of the Environmental / Town and Village Centre Improvement Fund set out in Appendix C be noted and endorsed.
- 2.3 That Call In is not appropriate for this item as the report is being submitted to the next meeting of the Executive Overview and Scrutiny Committee on 1st April 2015.

3.0 RECOMMENDATIONS TO EXECUTIVE OVERVIEW AND SCRUTINY COMMITTEE

3.1 That Members note the current position in respect of the 2014/2015 Capital Programme.

4.0 BACKGROUND

- 4.1 The Capital Programme is set on a three-year rolling basis that is updated regularly when Members are advised of progress against it. The revised GRA programme of £3.467m for 2014/2015 was agreed by Members in December 2014. Council subsequently approved the new Medium Term GRA Programme for 2015/2016 to 2017/2018 on 25th February 2015, but, due to the timing of this budget, these changes have not been fully incorporated into this report.
- 4.2 The Housing Public Sector Capital Programme is the subject of a separate report elsewhere on this Agenda.

5.0 CAPITAL EXPENDITURE

- 5.1 Generally, capital schemes are profiled with relatively low spending compared to budget in the early part of the financial year with increased spending as the year progresses. This reflects the fact that many new schemes have considerable lead in times, for example, because of the need to undertake a tendering process and award contracts at the start of the scheme. Some schemes are dependent on external partner funding and schemes can only begin once their funding details have been finalised. Other schemes include contract retentions or contingencies that will only be spent some time after completion of the contract. Most schemes then progress and spend in line with their approval.
- 5.2 This pattern has been repeated in the current year with £1.467m (42%) of expenditure having been incurred by the end of January. Comparison to previous years is indicated in Table 1 whilst Appendix A shows a breakdown by Service of expenditure and approvals.

Year	Expenditure £m	Budget £m	% Spend against Budget
2014/2015	1.467	3.467	42%
2013/2014	2.127	4.421	48%
2012/2013	2.643	4.304	61%
2011/2012	2.313	5.503	42%

- 5.3 This year's performance is lower than the same point in the last two years but similar to that in 2011/2012. Appendix B provides comments from Heads of Service on the progress of individual schemes against the Programme.
- 5.4 Council agreed a £490,000 allocation for the Environmental / Town and Village Centre Improvement Fund in February 2014, and a further £69,000 at its meeting in February 2015. Appendix C provides a breakdown of how this funding has or will be used and Members are now asked to note and endorse this position.

6.0 CAPITAL RESOURCES

- 6.1 Sufficient resources have been identified to fund the Capital Programme as shown in Appendix A.
- 6.2 A proportion of the resources to fund capital expenditure are based on government allocations that have been confirmed. Other resources come from external funding and schemes that are heavily dependent on this source are not able to start until after the funding has been confirmed. A further source of funding is capital receipts.
- 6.3 Capital receipts are the main area of the capital resources budget that is subject to variation. They are the useable proceeds from the sale of Council assets (mainly houses under Right to Buy (RTB) legislation) that are available to fund capital expenditure. They can vary significantly depending on the number and value of assets sold.
- 6.4 The Mid Year Review report identified that 19 RTB sales had been achieved against the target of 50 for the year and 2 plots of land sold. At the end of the third Quarter a further 5 RTB sales had been achieved with 1 further land sale. The useable receipts generated are analysed in Table 2:

Year	Estimate £'000	Actual £'000	% Received against Budget
Right to Buy Sales	325	201	62%
SAMP Sales	250	273	109%
Total	575	474	82%

- 6.5 Retained proceeds generated by Council House sales are now split between general usable capital receipts (detailed above), One for One Replacement Funding, and Debt Funding. At the end of the third quarter, £0.139m had been generated for One for One Replacement Funding and £0.210m generated for Debt Funding.
- 6.6 The estimate for the year was based on historical averages as the actual pattern of sales is volatile. The total level of capital receipts generated so far this year currently exceeds the budget target for the end of the third quarter by £0.043m. Steady progress is being made on the Strategic Asset Management Plan (SAMP) with further sales in the pipeline. The volume of Right to Buy sales, however, is likely to be less than the budgeted target and the associated sales value is also likely to be less than anticipated.
- 6.7 This has been taken into account in the review of expenditure plans and receipts generated compared to budget when the Medium Term Programme was approved at Council in February. This position will be managed over a medium term timescale.

7.0 SUSTAINABILITY AND COMMUNITY STRATEGY LINKS

7.1 The Capital Programme includes schemes that the Council plans to implement to enhance service delivery and assets. The Capital Programme also achieves the objectives of the Prudential Code for Capital Finance in Local Authorities by ensuring capital investment plans are affordable, prudent, and sustainable. This report provides an updated position and progress statement against project plans.

8.0 RISK ASSESSMENT

8.1 Capital assets shape the way services are delivered for the long term and, as a result, create financial commitments. The formal reporting of performance against the Capital Programme is part of the overall budgetary management and control framework that is designed to minimise the financial risks facing the Council. Schemes within the Programme that are reliant on external contributions or decisions are not started until funding is secured and other resources that are subject to fluctuation are monitored closely to ensure availability. The capital receipts position is scrutinized on a regular basis and managed over the medium term to mitigate the risk of unfunded capital expenditure.

Background Documents:

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and/or stakeholders. Therefore, no Equality impact assessment is required.

Appendices:

A Capital Programme Expenditure and Resources Budget

B Heads of Service Comments

C Use of Environmental / Town and Village Centre Improvement Fund

D Minute of Cabinet (Executive Overview and Scrutiny Committee only)

**2014/2015 GRA CAPITAL PROGRAMME
EXPENDITURE AND RESOURCES BUDGET
as at JANUARY 2015**

Service	Budget Approval	Actual		Variance	
	£'000	£'000	%	£'000	%
EXPENDITURE					
Housing and Regeneration					
Housing Strategy	336	68	20%	268	80%
Property Management	222	95	43%	127	57%
Regeneration	107	12	12%	95	88%
Community Services					
Private Sector Housing	614	426	69%	188	31%
Other Community Services	852	516	61%	336	39%
Planning	209	49	24%	160	76%
Street Scene	231	189	82%	42	18%
Corporate Services					
Financial Services	28	13	48%	15	52%
Transformation	378	79	21%	299	79%
Central Budget Items	490	20	4%	470	96%
	3,467	1,467	42%	1,999	58%
RESOURCES					
Capital Grants	746				
Revenue Funding	230				
Prudential Borrowing	75				
Capital Receipts	2,416				
	3,467				

CAPITAL PROGRAMME 2014/2015
HEADS OF SERVICE COMMENTS
As at JANUARY 2015

Housing Strategy
<p>The Affordable Housing budget is committed to the Council's partnership with Regenda Housing Group. The first affordable housing scheme through the Partnership comprised 4 units and completed January 2015. A second site, of 31 units, is under construction and a third site, of 14 units is progressing through the planning system. A fourth site, of 12 units, has planning permission and is due to commence during 2015. Due to the timing of progress on these schemes means that there is likely to be slippage on this scheme.</p> <p>This total of 61 units that will be provided through this project is significantly higher than the original 32 unit maximum originally anticipated. The partnership has also helped attract £1.6m of additional HCA investment to the Borough and New Homes Bonus at the higher rate will also be achieved when the affordable units are completed.</p>
Regeneration and Estates
<p>Consultants have been appointed for the Greenshoots Project and expenditure is dependent on progress of the scheme. This is likely to mean that the budget will need to be slipped into the new financial year.</p> <p>The trial with the Housing QL system was not successful and further system investigations are not planned at this time. The GRA funding for this scheme (£10,000) is, therefore, no longer required.</p> <p>Work on the initial Culvert Debris Screens is completed. Works to new Screens will commence in the new financial year meaning that the remaining budget will need to be slipped.</p>
Corporate Property Management
<p>Projects within the Corporate Property Programme are progressing and overall spend is likely to be at around 83% of the year's budget. This is comparable to the previous year's outturn (82%).</p> <p>The remaining budget will be slipped into the new financial year to fund larger scale works that are now planned for the new year.</p>

CAPITAL PROGRAMME 2014/2015
HEADS OF SERVICE COMMENTS
As at JANUARY 2015

Planning

The Free Tree Scheme has again been a success and is complete for the year. Orders have been placed for expenditure on implementing the OR recommendations but this is mostly dependent upon the Planning ICT Upgrade. Phases 1-3 of this are complete and the remaining phases will be implemented in the new financial year meaning that any unused approvals will need to be slipped.

The new CIL/S106 Database has been implemented and quotes are being investigated for the Replacement Scanner which should be installed by the end of the financial year. The Canal Towpath scheme should also be completed by the end of the financial year.

A Government Grant has been received for software to implement the New Burdens Inspire Project. This will be used in collaboration with the LCC Mapzone Group and spent within the financial year.

The remaining Planning schemes are demand led. There are commitments for Conservation Area Enhancement Grants but the Buildings at Risk budget has not yet been called upon and will be slipped into the next financial year.

Street Scene

The Replacement Blue Bins scheme is complete and bins have been distributed to households.

The Vehicle In-Cab Communications System will not be completed by the end of the financial year due to on-going discussions with our preferred supplier exploring additional functionality improvement options that are available within the overall package. The scheme will, therefore, slip into the next financial year.

CAPITAL PROGRAMME 2014/2015
HEADS OF SERVICE COMMENTS
As at JANUARY 2015

Corporate Services

The progress made on delivering Parish Capital Projects rests with individual Parish Councils and is not within the direct control of the Borough Council. Consequently, the final level of expenditure in this area will depend on how quickly Parish Council can deliver their Programmes.

Details on the uses of the Environmental / Town and Village Centre Improvement Fund are set out in Appendix C.

An ICT strategy has been agreed and the necessary funding put in place to deliver it. While expenditure to date in this area has been limited, the strategy should ensure that key issues will be addressed. For example, in addition to developments specific to individual services (eg. Civica Icon upgrades, ensuring card payments taken council wide are compliant with Data Security Standards), Strategy Projects currently planned/underway include:

- replacing and upgrading Microsoft ICT infrastructure (which is recognised as a key risk on the Council's strategic risk register)
- upgrade of the SQL Server (to meet the needs of third party applications, for example Northgate and Civica Icon (for income management))
- implementation of secure remote access (to comply with the government's PSN requirements which means for example that we can continue to deliver the Revenue and Benefits service)
- replacement of / upgrading Windows XP machines with Windows 7 pro (as Windows XP becomes 'end of life').

Community Services - Private Sector Housing

Both Housing Renewal Grants and Disabled Facility Grants are demand led. Demand for Renewal Grants remains lower than anticipated but demand for DFG's is higher than anticipated.

There are expenditure commitments on both schemes and any unspent budgets will be slipped into the new financial year to cover commitments.

CAPITAL PROGRAMME 2014/2015
HEADS OF SERVICE COMMENTS
As at JANUARY 2015

Other Community Services

The Leisure Trust funding is part of an on-going agreement and the budget will be fully spent.

Schemes using section 106 monies for improvement works at various parks, the Bowling Green, and new play equipment are progressing. Works should be mostly complete by the end of the financial year or the beginning of the new financial year.

Progress on the CCTV scheme has been delayed following discussions around final locations of CCTV cameras. This will mean that some of the approvals will slip into the new financial year when the scheme is likely to complete.

The installation of electric vehicle charge points at Sandy Lane Car Park will progress before the end of the financial year.

Works are progressing on Flood Alleviation Schemes and should complete early next year meaning there will be some slippage.

APPENDIX C
USE OF ENVIRONMENT / TOWN AND VILLAGE CENTRE IMPROVEMENT FUND

Schemes identified through the budget process / during the course of the 2014-15 financial year £

Christmas Lights	30,000
Ormskirk Car Parks	120,000
Banks Car Park with North Meols Parish Council	10,000
Poppies scheme	1,500
CCTV phase 3 - higher than expected costs	16,000
All Saints Parish Church Car Park, Hesketh Bank	15,000
Hilldale Village Hall	6,500

Schemes identified through budget process for 2015-16

Ormskirk Town Centre Strategy Implementation	210,000
Skelmersdale Public Realm Improvements	120,000
Common Area Improvements adjacent to Youth Zone, Nye Bevan and Skelmersdale Library	20,000
Coronation Park Wildflower Meadow	4,000
Ruff Wood - car parking adjacent to Vicarage Lane	6,000
Total	<u>559,000</u>

Funded by

Council approval February 2014	490,000
Council approval February 2015	69,000
Total	<u>559,000</u>



AGENDA ITEM: 5(n)

**AUDIT AND GOVERNANCE COMMITTEE:
27th January 2015**

**CABINET:
17th March 2015**

Report of: Borough Treasurer

Relevant Managing Director: Managing Director (People and Places)

Relevant Portfolio Holder: Councillor D Whittington

**Contact for further information: Marc Taylor (Extn. 5092)
(E-mail: marc.taylor@westlancs.gov.uk)**

SUBJECT: REVIEW OF ANTI-MONEY LAUNDERING POLICY

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To set out the results of a review of the Council's Anti-Money Laundering Policy and Guidance and Procedure Notes.

2.0 RECOMMENDATION TO AUDIT AND GOVERNANCE COMMITTEE

2.1 That the updated Anti-Money Laundering Policy and Guidance and Procedure Notes, as set out in Appendix 1 and 2 to this report, be endorsed.

3.0 RECOMMENDATION TO CABINET

3.1 That the updated Anti-Money Laundering Policy and Guidance and Procedure Notes, as set out in Appendix 1 and 2 to this report, be approved.

4.0 BACKGROUND

4.1 The Council has had an Anti-Money Laundering Policy in place since 2005 following the enactment of the Money Laundering Regulations 2003 which made public authorities more accountable for monitoring and detecting money laundering activities.

- 4.2 The Policy has continued to be reviewed since its inception to ensure compliance with best practice and legislation and to ensure it is still fit for purpose.

5.0 THE UPDATED POLICY

- 5.1 Through research and dialogue with the Council's Legal section it has been established that the Policy is still in line with legislation and best practice.
- 5.2 The documents have, however, been updated with the correct terminology following the change from the Serious Organised Crime agency (SOCA) to the National Crime Agency (NCA). References to 'tipping off' have also been removed from the documents as it is no longer classed as an offence under the 2007 regulations so is no longer relevant. A number of other minor amendments have also been made to improve the readability and drafting of the policy and guidance. Tracked changes versions of the proposed new documents are included in the appendices.

6.0 CURRENT POSITION

- 6.1 The Money Laundering Reporting Officer arrangements work effectively and this Officer – the Internal Audit Manager – along with his Deputy in the Borough Solicitor's Office are kept abreast of all current developments in money laundering and are, of course, the first officers to be made aware of any suspicious activities.
- 6.2 Due to the nature of the services provided by the Council, instances of suspected money laundering are unlikely to arise, but there is a need to maintain the profile of this issue. Consequently, the Policy and Guidance Notes will be re-circulated to all staff following committee approval and further training and advice offered where required.

7.0 BEST PRACTICE AND GUIDANCE

- 7.1 The Council's money laundering documentation take account of the guidance set out in the CIPFA best practice document 'Combating Financial Crime: Further guidance on anti-money laundering for public services organisations 2009'.

8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 8.1 There are no significant sustainability implications associated with this report and the report has no significant links with the Sustainability Community Strategy

9.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 9.1 The operation of the money laundering framework will be accommodated within existing resources.

10.0 RISK ASSESSMENT

- 10.1 Legislation requires that the Council has adequate procedures in place for the reporting of suspected money laundering activities. Failure to do so would be in breach of this legislation and lack of knowledge in this area could lead staff to inadvertently committing offences. Both would jeopardise the good reputation of the Council.
-
-

Background Documents

CIPFA 'Combating financial crime: Further guidance on anti-money laundering for public services organisations 2009'

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

Appendix 1 – Anti-Money Laundering Policy

Appendix 2 – Anti-Money Laundering Guidance and Procedures

Appendix 3 – Minute of Audit & Governance Committee 27 January 2015 (Cabinet only)

WEST LANCASHIRE BOROUGH COUNCIL

ANTI-MONEY LAUNDERING POLICY

1.0 INTRODUCTION

1.1 The Proceeds of Crime 2002 Act, the Terrorist Act 2000 and the Money Laundering Regulations 2007 broadly define money laundering and the range of activities covered by the statutory framework. Obligations impact on certain areas of local authority business and require local authorities to establish internal procedures to prevent the use of their services for money laundering. It is, therefore, good practice to have a robust Policy in place and promote staff awareness of potential money laundering activity.

2.0 SCOPE OF THE POLICY

2.1 This Policy applies to all employees of the Council and aims to maintain the high standards of conduct which currently exist within the Council by preventing criminal activity through money laundering. The Policy sets out the procedures that must be followed (for example the reporting of suspicions of money laundering activity) to enable the Council and its officers to comply with their legal obligations.

2.2 Further information is set out in the accompanying Anti-Money Laundering Guidance Note and Procedures. Both sit alongside the Council's Whistleblowing Code and Anti-Fraud, Bribery and Corruption Policy.

2.3 Failure by a member of staff to comply with the procedures set out in this Policy may ~~lead to~~ **result in** disciplinary action, ~~being taken against them~~. Any disciplinary action will be dealt with in accordance with the Council's Disciplinary Policy and Procedure. It should also be noted that in certain instances officers might themselves become criminally liable for breach of the 2000 Act, 2002 Act and the 2007 Regulations.

3.0 WHAT IS MONEY LAUNDERING?

3.1 These are the primary money laundering offences and thus prohibited acts under the law:

- concealing, disguising, converting, transferring criminal property or removing it from the UK; or
- entering into or becoming concerned in an arrangement which you know or suspect facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person; or
- acquiring, using or possessing criminal property; or
- becoming concerned in an arrangement facilitating concealment, removal from the jurisdiction, transfer to nominees or any other retention or control of terrorist property.

3.2 Potentially any member of staff could be caught by the money laundering provisions if they suspect money laundering and either become involved with it in some way and/or do nothing about it. The Guidance Note and Procedures document gives practical examples. This Policy sets out how any concerns should be raised.

~~3.3 Whilst the risk to the Council of contravening the legislation is low, **it is important that all employees are familiar with the legal responsibilities: serious criminal sanctions can be imposed for breaches of the legislation.**~~

4.0 WHAT ARE THE OBLIGATIONS ON THE COUNCIL?

4.1 The law requires those organisations in the 'regulated sector' and conducting 'relevant business' to

- appoint a Money Laundering Reporting Officer ("MLRO") to receive disclosures from employees of money laundering activity (their own or anyone else's);
- implement a procedure to enable the reporting of suspicions of money laundering;
- maintain client identification and record keeping procedures.

4.2 It is considered that the Council does not fall within the regulated sector nor does it conduct relevant business. However it is good practice, and will aid the Council's compliance with the wider requirements of the relevant legislation if it adopts policies and procedures which are in line with the requirements identified in the bullet points above.

4.3 All staff are required to comply with the reporting procedure set out in section 6 below to ensure consistency throughout the organisation and avoid inadvertent offences being committed.

4.4 The following sections of this Policy provide further detail about the requirements listed in paragraph 4.1 to the extent that they are relevant to the Council.

5.0 THE MONEY LAUNDERING REPORTING OFFICER

5.1 The officer nominated to receive disclosures about money laundering activity within the Council is the Internal Audit Manager, Mike Coysh (MLRO) (i). He can be contacted as follows:

Mike Coysh
Internal Audit Manager
52 Derby Street
Ormskirk
[L39 2DF](#)

Telephone: 01695 712603 (internal 2603)

5.2 In the absence of the MLRO, the Assistant Solicitor, Michael Hynes, is authorised to deputise for him. He can be contacted at the 52 Derby Street offices address or on extension 5522.

(i) Note, this is not a formal appointment under section 337 or 338 of the 2002 Act

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6.0 DISCLOSURE PROCEDURE

Reporting to the Money Laundering Reporting Officer

6.1 Where you know or suspect that money laundering activity is taking/has taken place, or become concerned that your involvement in a matter may amount to a prohibited act under the legislation, you must disclose this as soon as practicable to the MLRO. The disclosure should be within "hours" of the information coming to your attention, not weeks or months later. ~~Whilst failure to disclose is no longer an offence for public authorities under the 2007 regulations, it is in your best interest and the interests of the Council to do so.~~

6.2 Your disclosure should be made to the MLRO using the proforma report set out in the Guidance Notes and Procedures. The report must include as much detail as possible, for example:

- ~~Full details of the~~ As much detail as known about the people involved ~~(including yourself, if relevant)~~, e.g. name, date of birth, address, company names, directorships, phone numbers, etc;
- Full details of the nature of their/your involvement;
 - If you are concerned that your involvement in the transaction would amount to a prohibited act under the Proceeds of crime Act, then your report must include all relevant details, as you will need consent from the ~~Serious Organised Crime Agency (SOCA)~~ National Crime Agency (NCA), via the MLRO, to take any further part in the transaction - this is the case even if the client gives instructions for the matter to proceed before such consent is given.
 - You should therefore make it clear in the report if such consent is required and clarify whether there are any deadlines for giving such consent, e.g. a completion date or court deadline;
- The types of money laundering activity involved:
 - if possible, cite the section number(s) under which the report is being made
- The dates of such activities, including:
 - Whether the transactions have happened, are ongoing or are imminent;
Where they took place;
How they were undertaken;
The (likely) amount of money/assets involved;
Why, exactly, you are suspicious – SOCA NCA will require full reasons;

along with any other available information to enable the MLRO to make a sound judgement as to whether there are reasonable grounds for knowledge or suspicion of money laundering and to enable him to prepare his report to SOGANCA, where appropriate. You should also enclose copies of any relevant supporting documentation.

6.3 Once you have reported the matter to the MLRO you must follow any directions he may give you. **You must NOT make any further enquiries into the matter yourself:** any necessary investigation will be undertaken by SOGANCA. Simply report your suspicions to the MLRO who will refer the matter on to SOCA NCA if appropriate. All members of staff

will be required to co-operate with the MLRO and the authorities during any subsequent money laundering investigation.

- 6.4 Similarly, **at no time and under no circumstances should you voice any suspicions** to the person(s) whom you suspect of money laundering, even if SOCA-NCA has given consent to a particular transaction proceeding, without the specific consent of the MLRO. ~~'Tipping off' is no longer an offence under the 2007 regulations for public authorities, however to do so may jeopardise the investigation~~
- 6.5 Do not, therefore, make any reference on a client file to a report having been made to the MLRO – should the client exercise their right to see the file, then such a note will obviously tip them off to the report having been made. The MLRO will keep the appropriate records in a confidential manner.

Consideration of the disclosure by the Money Laundering Reporting Officer

- 6.6 Upon receipt of a disclosure report, the MLRO must note the date of receipt on his section of the report and acknowledge receipt of it. He should also advise you of the timescale within which he expects to respond to you.
- 6.7 The MLRO will consider the report and any other available internal information he thinks relevant e.g.:
- reviewing other transaction patterns and volumes;
 - the length of any business relationship involved;
 - the number of any one-off transactions and linked one-off transactions;
 - any identification evidence held;
- and undertake such other reasonable enquiries he thinks appropriate in order to ensure that all available information is taken into account in deciding whether a report to SOCA NCA is required (such enquiries being made in such a way as to avoid any appearance of tipping off those involved). The MLRO may also need to discuss the report with you.
- 6.8 Once the MLRO has evaluated the disclosure report and any other relevant information, he must make a timely determination as to whether:
- there is actual or suspected money laundering taking place; or
 - there are reasonable grounds to know or suspect that is the case; and
 - whether he needs to seek consent from SOCA-NCA for a particular transaction to proceed.
- 6.9 Where the MLRO does so conclude, then he must disclose the matter as soon as practicable to SOCA-NCA on their standard report form and in the prescribed manner, unless he has a reasonable excuse for non-disclosure to SOCA-NCA (for example, if you are a lawyer and you wish to claim legal professional privilege for not disclosing the information).
- 6.9.1 Where the MLRO suspects money laundering but has a reasonable excuse for non-disclosure, then he must note the report accordingly; he can then immediately give his consent for any ongoing or imminent transactions to proceed.
- 6.9.2 In cases where legal professional privilege may apply, the MLRO must liaise with the legal adviser to decide whether there is a reasonable excuse for not reporting the matter to SOCA-NCA.

6.9.3 Where consent is required from the ~~NCIS-NCA~~ for a transaction to proceed, then the transaction(s) in question must not be undertaken or completed until ~~SOCA-NCA~~ has specifically given consent, or there is deemed consent through the expiration of the relevant time limits without objection from ~~SOGANCA~~.

6.10 Where the MLRO concludes that there are no reasonable grounds to suspect money laundering then he shall mark the report accordingly and give his consent for any ongoing or imminent transaction(s) to proceed.

6.11 All disclosure reports referred to the MLRO and reports made by him to ~~SOCA-NCA~~ must be retained by the MLRO in a confidential file kept for that purpose, for a minimum of five years.

7.0 CLIENT IDENTIFICATION PROCEDURE

7.1 The client identification procedure – putting in place formal procedures for evidencing the identity of those they do business with under the 2007 regulations - is only required, under the regulations, by those engaging in specific areas of Council activity. It is essential, however, for all staff to ensure they are constantly alert to potentially suspicious circumstances, for example, situations where funds flow through the Council from a source with which it is unfamiliar.

7.2 In particular, if the Council is forming a new business relationship, and/or is considering undertaking a significant one-off transaction, officers must ensure that their own service procedures satisfy the requirements of the Client Identification Procedure before any business is undertaken for that client. This will be especially true if the parties concerned are not physically present for identification purposes and to situations where they may be acting for absent third parties. Satisfactory evidence of the identity of the prospective client should be obtained beforehand. For advice on appropriate and acceptable identification documents and any record keeping requirements, contact the MLRO.

8.0 CONCLUSION

8.1 The legislative requirements concerning anti-money laundering procedures are lengthy and complex. This Policy has been written so as to enable the Council to meet the legal requirements in a way which is proportionate to the very low risk to the Council of contravening the legislation.

8.2 Should you have any concerns whatsoever regarding any transactions then you should contact the MLRO.

Resources used in connection with the preparation of the Anti-Money Laundering Policy and Guidance Note (and helpful reference points):

www.moneylaunderingreporting.co.uk

www.nationalcrimeagency.gov.uk <http://www.soca.gov.uk/>

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www.anti-moneylaundering.org

www.theclc.gov.uk

www.fowles.co.uk/MoneyLaundering.htm

www.hardwickecrime.co.uk/access/resources/articles/03031201

The Financial Services' Authority Handbook

The Law Society "Money Laundering: Guidance for Solicitors (Pilot – January 2004)"

"The Money Laundering Regulations" by Charles Ward (The Legal Executive Journal)

"I Spy" by Jon Robins (The Lawyer magazine)

"Secret Disservice" by Peter Caldwell (The Lawyer magazine 8.3.04)

"Property lawyers – are you ready?" by Vanessa France & Jonathan Mills (The Young Solicitors Group Mar/Apr 04)

~~*GIPFA's Combating financial crime. Further guidance on Anti-money laundering for Public Services Organisations 2009*~~

WEST LANCASHIRE BOROUGH COUNCIL

GUIDANCE NOTE & PROCEDURES

RE THE ANTI-MONEY LAUNDERING POLICY

INTRODUCTION

Historically, legislation seeking to prevent the laundering of the proceeds of criminal activity was aimed at professionals in the financial and investment sector, however it was subsequently recognised that those involved in criminal conduct were able to “clean” the proceeds of crime through a wider range of businesses and professional activities.

New obligations in respect of money laundering were therefore imposed by the Proceeds of Crime 2002 Act, the Terrorist Act 2000 and the Money Laundering Regulations 2003, which were replaced by the Money Laundering Regulations 2007. These broadly define money laundering and the range of activities covered by the statutory control framework, in particular the duty to report suspicions of money laundering.

As a result, certain areas of the Council’s business are subject to the legislative controls and the Council is required to establish guidance and procedures designed to prevent the use of its services for money laundering. All staff should be aware of the content.

The Policy and this Guidance Note and Procedures document will be sufficient for most staff in providing detail on the legal requirements and practical help, however, for staff in areas which have a higher risk of being exposed to money laundering activities, additional training ~~will~~can be provided.

All members of staff are required to comply with the Council’s Anti-Money Laundering Policy in terms of reporting concerns re money laundering; this will ensure consistency throughout the Council and avoid inadvertent offences being committed.

THE OFFENCES

Under the legislation there are two main types of offences which may be committed: money laundering offences and failure to report money laundering offences.

Money laundering now goes beyond the transformation of the proceeds of crime into apparently legitimate money/assets: it now covers a range of activities (which do not necessarily need to involve money or laundering) regarding the proceeds of crime. It is technically defined as any act constituting:

- an offence under the 2002 Act i.e.:
 - concealing, disguising, converting, transferring criminal property (i) or removing it from the UK; or
 - entering into or becoming concerned in an arrangement which a person knows or suspects facilitates the acquisition, retention, use or control of criminal property by or on behalf of another person; or

- acquiring, using or possessing criminal property (unless there was adequate consideration);
 - an attempt, conspiracy or incitement to commit such an offence; or
 - aiding, abetting, counselling or procuring such an offence; and
- an offence under the Terrorist Act 2000, namely becoming concerned in an arrangement facilitating concealment, removal from the jurisdiction, transfer to nominees or any other retention or control of terrorist property (ii).

Note also that any attempt, conspiracy or incitement to commit any of the offences noted above; or aiding, abetting, counselling or procuring such offences will also be the subject of a criminal sanction.

It is likely that the law will treat you as knowing that which you do know or which is obvious, or which an honest and reasonable person would have known given the circumstances and the information you have. Consequently if you deliberately shut your mind to the obvious, this will not absolve you of your responsibilities under the legislation.

Although you do not need to have actual evidence that money laundering is taking place, mere speculation or gossip is unlikely to be sufficient to give rise to knowledge or suspicion that it is.

The legislation goes beyond major drug money laundering operations, terrorism and serious crime to cover the proceeds of potentially any crime, no matter how minor and irrespective of the size of the benefit gained.

The broad definition of money laundering means that potentially anybody (and therefore any Council employee, irrespective of what sort of Council business they are undertaking) could contravene the money laundering offences if they become aware of, or suspect the existence of criminal or terrorist property, and continue to be involved in the matter without reporting their concerns.

The money laundering regime is far reaching and does not just relate to the activities of organised crime, offences under POCA could also apply to being complicit in crimes relating to falsification of benefit claims, benefiting from non-compliance of conditions attached to a grant and facilitating employment upon which tax is not paid.

The Council has appointed the Audit Manager, Mike Coysh, as its Money Laundering Reporting Officer (MLRO) to receive reports from employees of suspected money laundering activity (iii).

(i) "criminal property" is widely defined: it is property representing a person's benefit from criminal conduct where you know or suspect that that is the case. It includes all property (situated in the UK or abroad) real or personal, including money, and also includes an interest in land or a right in relation to property other than land.

(ii) "terrorist property" means money or other property which is likely to be used for the purposes of terrorism, proceeds of the commission of acts of terrorism, and acts carried out for the purposes of terrorism.

(iii) Note, this is not a formal appointment under section 337 or 338 of the 2002 Act

Examples of money laundering activity:

By way of example, consider the following hypothetical scenario:

A Housing Officer is assessing a service user's finances to calculate how much they should pay towards the cost of electrical goods, and then goes on to arrange for goods to be provided and charged for, in the course of which s/he becomes aware of, or suspects the existence of, criminal property.

In this scenario the Housing Officer may commit an offence under section 328 by "being concerned in an arrangement" which s/he knows/suspects "facilitates the acquisition, retention, use or control of criminal property" if s/he does not report his/her concerns. Any lawyer involved could also be guilty of an offence if s/he assists in the transaction.

Any person found guilty of a money laundering offence is liable to imprisonment (maximum of 14 years), a fine or both; however an offence is not committed if the suspected money laundering activity is reported to the MLRO and, where necessary, official permission obtained to continue in the transaction.

Defences are available if, for example, the person:

- makes an 'authorised disclosure' under the 2002 Act to the ~~Serious Organised Crime Agency (SOCA)~~ National Crime Agency (NCA) or the MLRO and ~~SOCA~~ NCA gives consent to continue with the transaction; such a disclosure will not be taken to breach any rule which would otherwise restrict that disclosure;
- intended to make such a disclosure but had a reasonable excuse for not doing so;
- acquired, used or possessed the property for adequate consideration.
- did not know and had no reasonable cause to suspect the arrangement related to terrorist property or criminal property as the case may be.

POSSIBLE SIGNS OF MONEY LAUNDERING

It is impossible to give a definitive list of ways in which to spot money laundering or how to decide whether to make a report to the MLRO. The following are types of risk factors which may, either alone or cumulatively with other factors, suggest the possibility of money laundering activity:

GENERAL

- A new client;
- A secretive client: e.g., refuses to provide requested information without a reasonable explanation;
- Concerns about the honesty, integrity, identity or location of a client;
- Illogical third party transactions: unnecessary routing or receipt of funds from third parties or through third party accounts;
- Involvement of an unconnected third party without logical reason or explanation;

- Payment of a substantial sum in cash (over £10,000);
- Overpayments by a client;
- Absence of an obvious legitimate source of the funds;
- Movement of funds overseas, particularly to a higher risk country or tax haven;
- Where, without reasonable explanation, the size, nature and frequency of transactions or instructions (or the size, location or type of a client) is out of line with normal expectations;
- A transaction without obvious legitimate purpose or which appears uneconomic, inefficient or irrational;
- The cancellation or reversal of an earlier transaction;
- Requests for release of client account details other than in the normal course of business;
- Companies and trusts: extensive use of corporate structures and trusts in circumstances where the client's needs are inconsistent with the use of such structures;
- Poor business records or internal accounting controls;
- A previous transaction for the same client which has been, or should have been, reported to the MLRO;

PROPERTY MATTERS

- Unusual property investment transactions if there is no apparent investment purpose or rationale;
- Instructions to receive and pay out money where there is no linked substantive property transaction involved (surrogate banking);
- Re property transactions, funds received for deposits or prior to completion from an unexpected source or where instructions are given for settlement funds to be paid to an unexpected destination;

Facts which tend to suggest that something odd is happening may be sufficient for a reasonable suspicion of money laundering to arise.

In short, the money laundering offences apply to your own actions and to matters in which you become involved. If you become aware that your involvement in a matter may amount to money laundering under the 2002 Act then you must discuss it with the MLRO and not take any further action until you have received, through the MLRO, the consent of **SOGANCA**. The failure to report money laundering obligations relate also to your knowledge or suspicions of others, through your work.

WHAT ARE MY RESPONSIBILITIES?

The Council's Anti-Money Laundering Policy makes it clear that all members of staff should report any concerns they may have of money laundering activity, irrespective of their area of work.

In relation to money laundering offences themselves, potentially any member of staff could breach the legislation if they knew or suspected money laundering and became involved with it in some way without reporting their concerns.

If you know or suspect, through the course of your work, that anyone is involved in any sort of criminal conduct then it is highly likely, given the wide definition of money laundering, that the client is also engaged in money laundering and a report to the MLRO will be required. The value involved in the offence is irrelevant. If, for example, you reasonably suspect that someone has falsified their expenses claim, even if just by £1, then you would need to report that to the MLRO.

Do not voice any suspicions to the person(s) whom you suspect of money laundering or involve other officers/individuals. ~~'Tipping off' is no longer an offence under the 2007 regulations for public authorities, however to do so may jeopardise the investigation.~~

If you suspect a case of money laundering you should report the details immediately to the Council's Money Laundering Reporting Officer (MLRO) Mike Coysh (ext 2603) or in his absence the Deputy MLRO Michael Hynes (ext 5522). Such disclosures to the MLRO will be protected in that they will not be taken to breach any restriction on the disclosure of information.

The report should be made either by completing the proforma attached, or if you prefer, in a discussion.

You should still report your concerns, even if you believe someone else has already reported their suspicions of the same money laundering activity.

If you are in any doubt as to whether or not to file a report with the MLRO then you should err on the side of caution and do so. The MLRO will not refer the matter on to SOCA-NCA if there is no need.

CONSIDERATION OF DISCLOSURE REPORT BY MLRO

Where the MLRO receives a disclosure from a member of staff and concludes that there is actual/suspected money laundering taking place, or there are reasonable grounds to suspect so, then he must make a report as soon as practicable to SOCA-NCA on their standard report form and in the prescribed manner, unless he has a reasonable excuse for non-disclosure. Where relevant, the MLRO will also need to request appropriate consent from SOCA-NCA for any acts/transactions, which may otherwise amount to prohibited acts under the 2002 Act, to proceed.

The MLRO may receive appropriate consent from SOCA-NCA in the following ways:

- specific consent;
- no refusal of consent during the notice period (seven working days starting with the first working day after the MLRO makes the disclosure); or
- refusal of consent during the notice period but the moratorium period has expired (31 days starting with the day on which the MLRO receives notice of refusal of consent).

RELEVANT GUIDANCE

When considering any offence under the legislation, the Court will consider whether you followed any relevant guidance approved by the Treasury, a supervisory authority, or any other appropriate body which includes, for example, the Law Society, the Financial Services Authority, the Institute of Chartered Accountants in England and Wales and other such bodies. Such guidance is available for lawyers and accountants by their respective professional bodies.

CLIENT IDENTIFICATION PROCEDURE

The client identification procedure – putting in place formal procedures for evidencing the identity of those they do business with under the 2007 regulations - is only required, under the regulations, by those engaging in specific areas of Council activity. It is essential, however, for all staff to ensure they are constantly alert to potentially suspicious circumstances, for example, situations where funds flow through the Council from a source with which it is unfamiliar.

In particular, if the Council is forming a new business relationship, and/or is considering undertaking a significant one-off transaction, officers must ensure that their own service procedures satisfy the requirements of the Client Identification Procedure before any business is undertaken for that client. This will be especially true if the parties concerned are not physically present for identification purposes and to situations where they may be acting for absent third parties. Satisfactory evidence of the identity of the prospective client should be obtained beforehand. Further guidance can be obtained from the MLRO.

If you are undertaking work for a new client, then you may also wish to corroborate the details they provide/identity using any other sources available e.g.:

- check the organisation's website to confirm the identity of personnel, its business address and any other details;
- attend the client at their business address;
- search the telephone directory;
- ask the key contact officer to provide evidence of their personal identity and position within the organisation

CONCLUSION

Given the nature of what the Council does and who it can provide services for, instances of suspected money laundering are unlikely to arise very often, if at all; however we must be mindful of the legislative requirements, as failure to comply with them may render the Council and/or individuals liable to prosecution and will also severely affect the reputation of the Council if it were to be implicated in such activity.

Please take prompt and proper action if you have any suspicions and feel free to consult the MLRO at any time should you be concerned regarding a matter.

WEST LANCASHIRE BOROUGH COUNCIL

CONFIDENTIAL

Report to Money Laundering Reporting Officer

re money laundering activity

To: Mike Coysh, **Money Laundering Reporting Officer**

From:
[insert name of employee]

Service:
[insert post title]

Ext/Tel No:.....

Name(s) and address(es) of person(s) involved:
(if a company/public body please include details of nature of business)

Nature, value and timing of activity involved:
(please include full details e.g. what, when, where, how. Continue on separate sheet if necessary)

Nature of suspicions regarding such activity:
(please continue on separate sheet if necessary)

Has any investigation been undertaken (as far as you are aware)?
(Please tick relevant box)

Yes No

If yes, please include details below:

Have you discussed your suspicions with anyone else?
(please tick relevant box)

Yes No

If yes, please specify below, explaining why such discussion was necessary:

Have you consulted any supervisory body for guidance re money laundering? (e.g. the Law Society) (please tick relevant box)

Yes No

If yes, please specify below:

Do you feel you have a reasonable excuse for not disclosing the Matter to the NCISNCA? (e.g. are you a lawyer and wish to claim legal professional privilege?) (please tick the relevant box)

Yes No

If yes, please set out full details below:

Are you involved in a transaction which might be a prohibited act under Sections 327-329 of the Act and which requires appropriate consent from the NCISNCA? (please tick relevant box)

No

Yes

If yes, please enclose details in the box below:

Please set out below any other information you feel is relevant:

Signed:.....

Dated:.....

Please do not discuss the content of this report with anyone you believe to be involved in the suspected money laundering activity described.

THE FOLLOWING PART OF THIS FORM IS FOR COMPLETION BY THE MLRO

Date report received:

Date receipt of report acknowledged:

CONSIDERATION OF DISCLOSURE:

Action Plan:

OUTCOME OF CONSIDERATION OF DISCLOSURE:

Are there reasonable grounds for suspecting money laundering activity?

If there are reasonable grounds for suspicion, will a report be made to the **NCISNCA**? (please tick relevant box)

Yes

No

If yes, please confirm date of report to **NCISNCA**:
and complete the box below:

Details of liaison with the **NCIS-NCA regarding the report:**

Notice period: to

Moratorium period:to

Is consent required from the ~~NCIS-NCA~~ to any ongoing or imminent transactions which would otherwise be prohibited acts?

Yes

No

If yes, please confirm full details in the box below:

Date consent received from ~~NCISNCA~~:

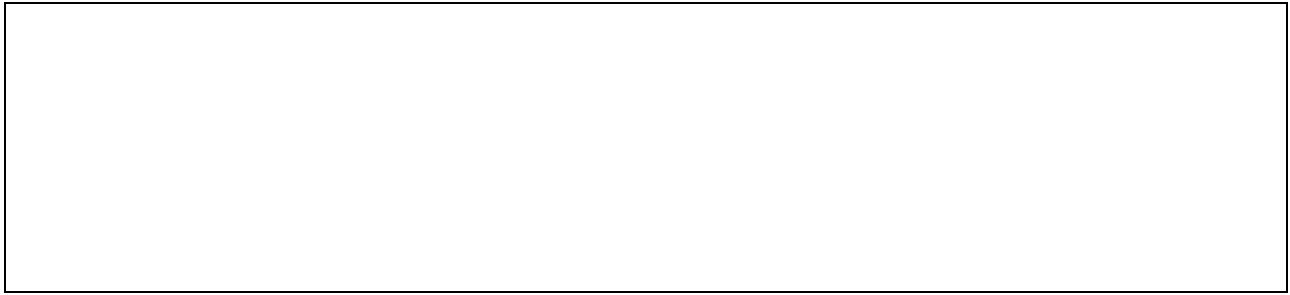
Date consent given by you to employee:

If there are reasonable grounds to suspect money laundering, but you do not intend to report the matter to the ~~NCISNCA~~, please set out below the reason(s) for non-disclosure:

Date consent given by you to employee for any prohibited act transactions to proceed:

.....

Other relevant information:



Signed:

Dated:

THIS REPORT TO BE RETAINED FOR AT LEAST FIVE YEARS

Agenda item 5(n)

Review of Anti-Money Laundering Policy

MINUTE OF THE AUDIT & GOVERNANCE COMMITTEE HELD ON 27 JANUARY 2015

35. REVIEW OF ANTI-MONEY LAUNDERING POLICY

Consideration was given to the report of the Borough Treasurer contained on pages 413 – 436 of the Book of Reports on the results of a review of the Council's Anti-Money Laundering Policy and Guidance and Procedure Notes.

RESOLVED That the updated Anti-Money Laundering Policy and Guidance and Procedure Notes, as set out in Appendices 1 and 2 to the report, be endorsed, subject to:

“Guidance & Procedure Notes (Appendix 2) 4th paragraph – ‘substitute ‘will’ for ‘can’ in the last line.



AGENDA ITEM: 5(o)

CABINET 17th March 2015

Report of: Assistant Director Community Services

Relevant Managing Director : Managing Director (People and Places)

Relevant Portfolio Holder: Cllr D.Sudworth

Contact for further information: Mr John Nelson (Extn. 5157)
(E-mail: John.Nelson@westlancs.gov.uk)
Helen Juste (01695 571306)
(E-mail: Helen.Juste@westlancs.gov.uk)

SUBJECT: CHAPEL GALLERY ACCESS IMPROVEMENTS / GRANT FUNDING

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To consider the acceptance of an award of an Arts Council England grant to improve access and development of the first floor of the Chapel Gallery/Community Centre.

2.0 RECOMMENDATIONS

2.1 That, in order to meet the allocation requirements of the awarding body that the grant award of £127,360 is accepted, subject to 2.3 below.

2.2 That a planning application is submitted to enable the construction work to commence, if applicable, in due course.

2.3 That the Leisure Strategy/Action Plan is considered prior to any final commitment or engagement of contractors for the construction work, subject to the approval of the £25k funding to be considered at Council on the 25th February 2015.

3.0 BACKGROUND

- 3.1 The Chapel Gallery in Ormskirk is an innovative contemporary art gallery that opened in 2001. It provides a high quality service that includes an exhibition and events programme, education service, contemporary craft shop and café, alongside the Arts Development Service. Two of the most popular exhibitions are the West Lancashire Open, that receives submissions from around 500 applicants and the annual Objects of Desire Exhibition that provide a great regional attraction, during the months of November and December.
- 3.2 The gallery also provides a holiday activity programme with an Art Club for young people aged eight to sixteen with access to the nationally accredited Arts Council England Arts Awards and a range of adult learning opportunities, an artist network and family friendly events. The facility has an excellent reputation locally and sub-regionally and has the capacity to have even greater impact at a local, regional and at national level.
- 3.3 The gallery has achieved to date over 39,000 visits in 2013/14. With the extension of access and facilities to the first floor and better use of social media to promote events, it is felt that this can be improved upon. However currently programming remains restricted since the gallery has only one main exhibition space, on the ground floor.
- 3.4 Disabled access to the first floor is restricted and it can not, therefore be used for gallery showcase events, exhibitions and performance work.
- 3.5 It is considered both by gallery staff and officers from the Arts Council that a second quality space fitted out for exhibitions and events would improve the level of use for the gallery and generate additional income from events and sales. It would also enable the exhibition programme to incorporate heritage exhibitions and further develop the events programme to incorporate the pilot Vintage and Handmade fairs, and an Animation Festival working in partnership with Edge Hill University's Animation Department and West Lancashire College.

4.0 CURRENT SITUATION

- 4.1 Officers have previously explored the option to install a lift within the confines of the building; however this has not proved an easy option given the layout and structural issues which would make an internal option very expensive.
- 4.2 An approach was made to the Arts Council England for capital funding in 2010 towards the provision of a lift, but funding was not available at that time.
- 4.3 Arts Council England have since reviewed the capital grant funding allocations and recognised that certain areas within the North West were under represented in terms of grant support. West Lancashire has received no strategic funding over the 6 year review period and less than 3.5% of the available support and small pot capital funding in Lancashire over the same period.

- 4.4 Officers from the Arts Council contacted the Council with an offer to reconsider the option to improve access to the first floor and explore the provision of a development grant to provide opportunities to improve the first floor exhibition space.
- 4.5 The Arts Council supported the development of draft plans for the proposal with the overall capital funding required being split over two phases. The Arts Council have stated they would like a two phased approach to the scheme with phase one funding allocated from the current financial year and the option for phase two funding from 2015/16. The Arts Council have approved a £127,360 grant contribution in year one followed by an assessment of a potential grant award of up to £80,000 in year two.
- 4.6 The initial phase is the construction of a lift to provide access to the first floor with modifications to the entrance area and foyer. Plans showing an artist impression of the front of the building and ground floor are attached at Appendix 1.
- 4.7 The work to provide the lift will also tidy up the view of the side of the building which currently provides access to emergency exits and the bin store.

5.0 ISSUES

- 5.1 The Chapel Gallery is part of the Leisure Strategy, which is currently being worked on and will be presented to Members in July 2015 and will be accompanied by a 10 year Action Plan in the context of reducing public finances.
- 5.2 The Arts Council need to allocate the funding for the first phase works for the lift access, by the end of March 2015. The second phase funding application would follow after construction work to the lift has commenced, allocated from Arts Council grant funding from 2015/16.
- 5.3 The Arts Council have been made aware of the current leisure strategy. They are nevertheless keen to continue with the support for the current scheme. They will commit the funding to the Council on the understanding that the strategic review and planning considerations may result in the scheme not going forward.
- 5.4 Consequences of not proceeding with the phase one proposal is that funding allocated for both this phase and the ability to access funding for phase two work would be withdrawn, the Council would not incur any penalty costs associated with withdrawing from the proposal and rejecting the grant. The available grant would then be reallocated to other schemes in the North West who have not been successful in this current grant period. We have asked if the funding could be reallocated to another scheme in West Lancashire and have been informed that this would require a fresh grant application.
- 5.5 The grants by the Arts Council are seen as small capital grants; however they are subject to conditions. The grant must be used for the purpose specified and the grant or part grant is to be repaid back to the Arts Council if it is not fully

utilised for the project/scheme. The project/scheme must be operational for a minimum period of twelve months following completion of the project/scheme. A copy of the grant conditions are attached at Appendix 2.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 6.1 The Arts Council Grant of £127k is the principal cost of the phase one work to install a lift to the front of the building and undertake a small commission, that will result in the installation of art work to the front glass panels.
- 6.2.1 An element of in-kind funding for project management is required together with a financial contribution to support the overall cost of the phase one works. An allocation of £25k for capital expenditure to support the project has been approved as part of the budget setting process for 2015-16.
- 6.3 It is expected that visitor numbers and income would increase from availability and promotion of new activities and programmes as a result of improving access to the first floor. In addition the phase two works would provide an exhibition space which would improve the experience for visitors and attract higher quality and higher value products for display and sale.
- 6.4 The lift will require an annual insurance inspection and a maintenance fee of approx £800. This will be offset by increased income from events and activities.
- 6.5 It is expected that a number of specialist weekend events (approx 1 per month) will be promoted, with the potential to improve net income.

7.0 RISK ASSESSMENT

- 7.1 Agreeing to the acceptance of the Arts Council grant maintains options for the development of the gallery. Should the work not proceed then the grant would be repaid to the Arts Council with no penalties or fees for the Borough Council.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix 3 to this report, the results of which have been taken into account in the recommendations contained within this report.

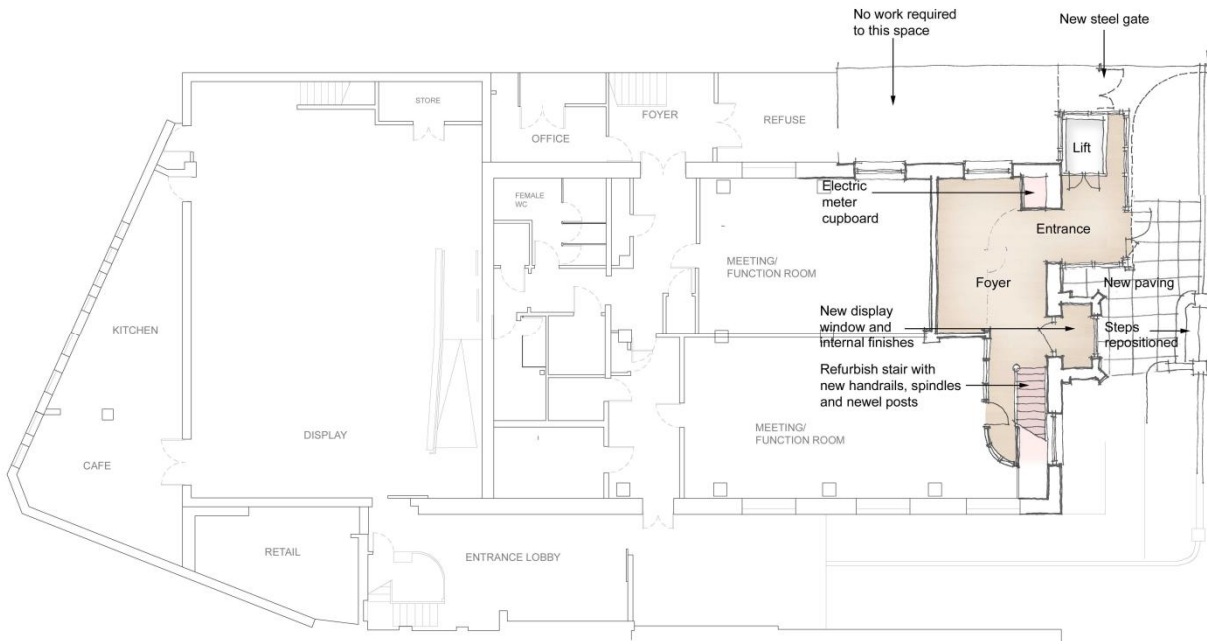
Appendices

Appendix 1 Artist impression of the front elevation lift and ground floor plan.

Appendix 2
Appendix 3

Grant conditions.
Equality Impact Assessment Form

Appendix 1



Standard terms and conditions for grants

These standard terms and conditions for grants apply to all grant offers dated from 1 November 2010.

This document is important. It sets out the standard legal conditions of our grant offer to you.

This is a legal document and you should ensure that you fully understand your responsibilities before accepting a grant from us.

If you have any general questions about this document please contact our Enquiries team on 0845 300 6200. However, if you need legal advice, please contact your solicitor.

If you do not have access to the internet or email, you can ask us for more information or documents by phoning 0845 300 6200.

Contents

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10. Termination of the Grant Agreement

1. Definitions

1.1 'You' means the person (individual) or organisation that we have given a grant to.

1.2 'We', 'us' and 'our' means Arts Council England and includes our employees and those acting for us.

1.3 The 'Project' means the project or activity that we have agreed to give you a grant for, as set out in your application form or proposal together with any supporting documents such as budget information, a timetable and any other documents that set out how your Project will be managed ('the Project Proposal').

1.4 The 'Grant Agreement' includes and incorporates:

1.4.1 these standard terms and conditions;

and

1.4.2 the Offer Letter which sets out any additional conditions; and

1.4.3 the Project Proposal.

2. The Grant

2.1 The amount of the grant is set out in the Offer Letter. We are not able to increase the amount of the grant. The amount of the grant may be different to the amount that you applied for.

2.2 You must accept our offer within four weeks of receiving it by signing and returning one copy of the Offer Letter. If you do not return the signed Offer Letter within four weeks our offer will lapse. If you are an organisation, the Offer Letter must be signed by someone who is authorised to sign on behalf of the organisation.

2.3 The Grant Agreement will come into force on the date that we receive the signed Offer Letter from you.

2.4 We will pay the grant in the instalments set out in the Offer Letter.

2.5 You must use the grant exclusively for the Project.

2.6 You must tell us promptly about any changes to information you have given us, including any changes to your bank or building society details and you must make sure that the information you hold is always true and up to date.

2.7 You must not use the grant to pay for any spending commitments you have made before the date of the Grant Agreement.

2.8 You must hold any unused part of the grant on trust for us at all times.

2.9 You must tell us if you receive any other funding for the Project from any other source at any time during the Project. If this means that you no longer need the funding from us, you must pay the grant back to us immediately upon demand from us.

2.10 If you spend less than the whole grant on the Project, you must return the unspent

amount to us promptly. If the grant part-funds the Project, you must return the appropriate share of the unspent amount to us.

2.11 As the grant comes from public funds, you must account to us for any profit that you make from the Project and we reserve the right to require you to pay back all or part of the grant.

2.12 If you enter into an agreement with any third party with a view to commercial exploitation of the Project or anything relating to it, you must contact us to obtain our consent. Our consent may be subject to conditions, including conditions requiring the repayment of all or part of the grant.

3. The Project

3.1 You must get our written permission before making any changes to the Project or to its aims, structure, delivery, outcomes, duration or ownership.

3.2 If we agree that you can make changes to the Project, we may ask you to agree to additional conditions. Any agreed changes and/or additional conditions will be set out in a separate legal agreement between us and you; you should not start any new or changed activity until that agreement has been signed by both us and you.

3.3 You must start the Project within one month of receiving the first grant payment from us.

3.4 You must make satisfactory progress with the Project and complete it on time. You must tell us immediately if anything threatens to curtail or delay the Project.

3.5 You must ensure that all records, including financial records, relating to the Project are accurate and up to date. You must keep these records for seven years after the Project has finished.

3.6 You must maintain adequate insurance at all times and we may ask you to send us copies of these policies. This includes employee and public liability insurance and insurance that covers the full replacement value of any assets you have purchased using the grant.

3.7 You must give us, or any person nominated by us, access to all records relating to the Project or other projects funded by us upon demand, including (but not limited to) accounts and any other financial records, VAT and any other tax records. We can ask for access to these records for up to seven years after the Project has finished.

3.8 You must send us any information and records that we reasonably require to monitor your Project and how the grant is being used.

3.9 You must provide us with a full report on the Project within three months of completing it, using our standard Activity report form which we will send to you.

3.10 You must provide us with clear and accurate accounts that cover the period of the Project.

These accounts must follow any relevant legal requirements for accounts, audit or examination of accounts, annual reports or annual returns and must clearly show income and expenditure.

We may ask for proof of expenditure. If the grant was for more than £50,000 a qualified

and independent accountant must certify a Statement of Income and Expenditure.

3.11 In carrying out your Project, you must meet all laws regulating the way you operate, the work you carry out, the staff you employ or the goods and services you buy. For example, you are responsible for getting any licences, permissions and insurances that are necessary by law.

3.12 You must have appropriate policies in place at all times to help you comply with the law and good practice including, but not limited to:

3.12.1 Data protection;

3.12.2 Equal opportunities including discrimination on the basis of race, age, gender, disability, religion and/or sexuality;

3.12.3 Employment law

3.13 The following conditions apply if you or your employees, business partners, contractors or volunteers will supervise, care or have significant direct contact with a vulnerable person during the Project:

3.13.1 'Vulnerable person' means:

a. anyone under the age of 18; and/or

b. anyone who needs (or may need) community care services because of mental disability, other disability, age or illness, and who is (or may be) unable to take care of themselves or unable to protect themselves against significant harm or exploitation

3.13.2 you must consider all the risks that may arise from your contact with the vulnerable person, and take all reasonable steps to ensure their safety.

Before having any significant direct contact with the vulnerable person, you must get the written agreement of the legal carer or guardian of the

vulnerable person.

3.13.3 as well as your responsibilities in clause

3.13.2, you must have and carry out a written policy and set of procedures to safeguard vulnerable people if during the Project, your employees, business partners, contractors or volunteers supervise, care for or have significant direct contact with vulnerable people.

3.13.4 As part of these procedures you must check with the Criminal Records Bureau the backgrounds and disclosures of those employees, business partners, contractors or volunteers who will, during their Project, supervise, care or otherwise have significant direct contact with vulnerable people.

3.13.5 If you are the person having significant direct contact with the vulnerable person, you must contact his or her legally authorised carer or guardian and give them your consent to have your background checked and disclosures from the Criminal Records Bureau viewed, if the carer or guardian wants to.

3.13.6 You must comply with this clause

3.13 even if are not required to do so under any child protection or care standards legislation, and whether the work is formal, informal, voluntary or salaried.

3.13.7 We cannot advise you of your legal responsibilities in your dealings with vulnerable people, and these conditions are not legal advice. If you have any queries about your obligations, we strongly advise that you seek your own independent legal advice and also contact the National Society for Prevention of Cruelty to Children

www.nspcc.org.uk/inform

4. Information, marketing and publicity

4.1 You must acknowledge the grant publicly as appropriate and as practical.

4.2 You must follow our branding and publicity guidelines at all times. You will acknowledge our support and the support of the National Lottery in any published documents that refer to the Project, including any advertisements, accounts and public annual reports, or in written or spoken public presentations about the Project.

4.3 You must acknowledge our grant by following the guidelines we will provide. You should feature the Grant award logo/Lottery grant award logo on all information, marketing and publicity materials relating to the activity we have agreed to fund, including printed and online material. You should also incorporate verbal and written acknowledgment of our support into your communications. You can download the Grant award logo/Lottery grant award logo and access full details of how to acknowledge our support at www.artscouncil.org.uk/grantawardlogo Alternatively you can email grantawardlogo@artscouncil.org.uk or phone 0845 300 6200

for further information.

4.4 The Lottery grant award logo, other 'Crossed fingers' logos and the words 'The National Lottery' are owned by the National Lottery Commission ('the Commission'). The Commission is responsible for licensing and regulating the National Lottery. It

aims to ensure the integrity of the National Lottery, to protect players and to maximise the funds that can be paid out in grants.

4.5 We hereby give you the permission to use the Grant award logo/Lottery grant award

logo to acknowledge and celebrate your grant award. In using the logo you must comply with the guidelines available at www.artscouncil.org.uk/grantawardlogo, or any future versions that we notify you of.

4.6 Please note that with regard to the Lottery grant award logo:

4.6.1 this permission is specific to any National Lottery-funded activity and you may not

transfer any of these rights to another project or organisation;

4.6.2 we will share information about your project with the Commission to enable it to monitor your compliance with the National Lottery grant award guidelines and to take appropriate action should you breach its terms.

4.6.3 we will have the right to end your permission to use the Lottery grant award logo if our own permission from the Commission terminates or if you do not comply with the National Lottery grant award guidelines or if your grant from the National Lottery funds is withdrawn, suspended or terminated.

If this permission ends, you must stop using the Lottery grant award logo immediately.

4.7 You must give us two copies of any relevant marketing, publicity or other information

regarding the Project as soon as it is available, but no later than four weeks before any specific event or events happening as part of the Project.

4.8 We acknowledge that you will own all rights in any materials produced for or relating to the Project and in the Project Proposal, including any intellectual property rights. You hereby grant us a non-exclusive, worldwide, royalty-free perpetual licence to reproduce any materials relating to the Project and the Project Proposal as we reasonably require for marketing and publicity purposes. We may also share information with other funders, government departments, regulatory agencies, partners and others with a legitimate interest in public funding.

5. Additional Conditions for organisations

5.1 You will ensure that you are at all times correctly constituted and that you can deliver the Project under the terms of your constitution.

5.2 You must get our written agreement before:

5.2.1 changing your governing document, (unless you are a statutory organisation) concerning your aims, payments to members and members of your governing body, the sharing out of your assets (whether your organisation is dissolved or not), or the admission of any new members; or

5.2.2 transferring your assets to, or merging or amalgamating with, any other body, including a company set up by you.

5.3 You must write to us as soon as possible if any legal claims are made or threatened against you and/or which would adversely affect the Project during the period of the grant (including any claims made against members of your governing body or staff concerning the organisation).

5.4 If you are an unincorporated group, you must provide us with written evidence that the person signing the Offer Letter has the authority of the group to enter into the Grant

Agreement on behalf of all the members of the group and that all members of the group

will be jointly and severally liable under the Grant Agreement.

5.5 You must tell us in writing as soon as possible of any investigation concerning your

organisation, trustees, directors, employees or volunteers carried out by the Police, Charity Commission, the Office of the Scottish Charity Regulator, HM Revenue & Customs or any other regulatory body.

6. General Conditions

6.1 If you break any term and/or condition of the Grant Agreement and we do not enforce one or more of our rights straight away, this does not mean that we will not do so in the future.

We will give up our right to enforce this agreement only if we tell you in writing.

6.2 If you break this agreement, we can choose to treat that as you breaking any other grant agreements we have with you. This will allow us to take the same actions under those agreements that we may take under this agreement, including making you pay back the grant and stopping any future payments.

6.3 Our staff, council members and advisers cannot give you professional advice and will not take part in carrying out your business. We cannot be held responsible for any action you take, any action you fail to take, or for your debts or liabilities. Even though we may give you funding and talk to you about your activities, you are still fully responsible for every part of the Project, your business and the decisions about it. We will not be responsible to anyone else who may take, or threaten to take, proceedings against you.

6.4 You are responsible for getting your own management, business and artistic advice.

This includes considering whether you need to get financial, accounting, tax, solvency,

legal, insurance or other types of professional advice. You must not assume that your

business is financially stable or solvent (this means your business is able to meet its financial responsibilities), even if we continue to support you.

6.5 Your grant comes from public money, so if you are planning to buy goods or services with your grant, you should always buy them in a way that will give value for money and avoids any conflicts of interest. If you are an organisation and the funding that you receive from us accounts for 50 per cent or more of your annual income then you must ensure that when you purchase goods or services you do so in line with English and European Union procurement law. You should seek legal advice where appropriate.

6.6 We get the funding we give to you from different places, including from Parliament and the National Lottery. We do not expect this funding to be reduced or stopped but, if it is, we may reduce or stop your grant before we have paid you the full amount.

6.7 We are not obliged to provide, and nor should you assume that we will, any further

funding for the Project after this grant agreement comes to an end.

6.8 The Freedom of Information Act 2000 ('the Act') applies to us. This means that any information you give us could be released to any person who asks for it under the Act.

Visit our publication scheme at www.artscouncil.org.uk/publications for more information on how Arts Council England applies the Act and our data protection policy.

You must tell us if you think that any of the information should be confidential under any

of the exemptions of the Act. Please visit www.ico.gov.uk/ for information on the Act.

7. VAT

7.1 You acknowledge that the grant is not consideration for any taxable supply for VAT

purposes. You acknowledge that your obligation does not extend to paying us any amounts in respect of VAT in addition to the grant.

7.2 If you are registered for VAT, or subsequently become liable to register for VAT, you must keep proper and up to date records and you must make those records available to us and give us copies when requested.

7.3 If we have agreed to fund any or all of the VAT costs associated with your Project and you subsequently recover any VAT, you must pay us back immediately any of the VAT that has been paid for with the grant.

8. Conditions relating to assets or goods purchased with the grant

8.1 During the period covered by your grant, you must not sell any assets or goods that have been totally or partly bought, restored, conserved (maintained or protected from

damage) or improved with our grants unless:

8.1.1 you can sell them for their full current market value; and

8.1.2 we have given you permission, in writing, beforehand

8.2 If we have contributed (or will contribute) more than £25,000 to help with buying,

restoring, conserving or improving land, buildings or any other asset, you must not apply

for a mortgage over that asset or use it as security without our prior written approval.

8.3 We may insist on third party rights being given to us (and in a form approved by us)

under any contract that you have with contractors and consultants on most building projects.

8.4 If we feel it is necessary, we will take security on the freehold or leasehold interest or other asset or assets, or ask for some other appropriate form of security for your

responsibilities under the terms of the grant. We may demand that you give our solicitors copies of all the documents affecting the title to the property (for example, all mortgages, conveyances, leases and so on that affect the legal rights to the property).

8.5 If you sell or give away assets or goods bought, restored, conserved or improved with our grants, we will be entitled to receive an appropriate share of the 'net' proceeds (the proceeds after tax and other costs of sale have been taken into account) of this for as long as these assets or the improvements have a useful economic life.

9. Breaking these terms and conditions, and suspending or repaying the grant

9.1 If you break any of these terms and conditions, we may, in our absolute discretion:

9.1.1 require you to pay back all or part of the grant (regardless of how much you may

have already spent); and/or

9.1.2 stop any future payments; and/or

9.1.3 end this agreement immediately.

9.2 We may recover the grant in our absolute discretion, if any of the following events occurs:

9.2.1 you close down your business (unless it joins with, or is replaced by, another business that can carry out the Project and we have provided our prior written permission);

9.2.2 you make any changes to the Project without first getting our written permission;

9.2.3 you use the grant for anything other than the Project;

9.2.4 you do not follow our reasonable instructions;

9.2.5 you do not carry out the Project with reasonable care, thoroughness, competence and to a standard that would be expected for your level of experience in your artistic practice, profession or line of work;

9.2.6 you do not complete the Project;

9.2.7 you have supplied us with any information that is wrong or misleading, either by mistake or because you were trying to mislead us;

9.2.8 you are declared bankrupt or become insolvent, any order is made, or resolution is passed, for you to go into administration, be wound up or dissolved; an administrator or other receiver, manager, liquidator, trustee or similar officer is appointed over all or a considerable amount of your assets; or you enter into or propose any arrangement with the people you owe money to;

9.2.9 you act illegally or negligently at any time, and we believe it has significantly affected the Project, or is likely to harm our or your reputation; and/or

9.2.10 without first getting our approval in writing, you sell or in some other way transfer the grant, your business or the Project to someone else.

10. Termination of the Grant Agreement

10.1 These terms and conditions and the Grant Agreement remain in force for whichever of these is the longest time:

- for one year following the payment of the last instalment of the grant;
- as long as any part of the grant remains unspent;
- the expiry of the maximum period required under the Grant Agreement for asset monitoring;
- as long as you do not carry out any of the terms and conditions of the Grant Agreement or any breach of them continues (this includes any outstanding reporting on grant expenditure or Project delivery).

Arts Council England
14 Great Peter Street
London SW1P 3NQ
Website: www.artscouncil.org.uk
Phone: 0845 300 6200
Email: enquiries@artscouncil.org.uk
Textphone: 020 7973 6564

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Charity registration number 1036733.

You can get this document in Braille, in large print, on audio CD, and in various electronic formats.

Please contact us if you need any of these.

We are committed to being open and accessible.

We welcome all comments on our work. Please send these comments to our Enquiries Team at The Hive, 49 Lever Street, Manchester, M1 1FN or via the contact form on our website at: www.artscouncil.org.uk/about-us/contact-us/

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Equality Impact Assessment Form



Directorate: People and Places		Service: Community Services	
Completed by: John Nelson		Date: 3rd February 2015	
Subject Title: Chapel Gallery access improvements and grant funding			
1. DESCRIPTION			
Is a policy or strategy being produced or revised:	No	<i>*delete as appropriate</i>	
Is a service being designed, redesigned or cutback:	No		
Is a commissioning plan or contract specification being developed:	No		
Is a budget being set or funding allocated:	No		
Is a programme or project being planned:	Yes		
Are recommendations being presented to senior managers and/or Councillors:	Yes		
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes		
Details of the matter under consideration:	Providing lift access improvements to the Chapel Gallery and agreeing acceptance of grant funding towards the cost of the works.		
<p><i>If you answered Yes to any of the above go straight to Section 3</i></p> <p><i>If you answered No to all the above please complete Section 2</i></p>			
2. RELEVANCE			
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No*	<i>*delete as appropriate</i>	
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>			
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>			
3. EVIDENCE COLLECTION			
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Current and future visitors to the Chapel Gallery, event organisers and exhibitors.		
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	The proposed works to install a lift to the front of the building will improve access to the first floor event/exhibition space for those who have difficulty using stairs, e.g. wheelchair users, visitors with pushchairs or who have difficulty walking and using stairs.		

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	Yes
Gender	No
Disability	Yes
Race and Culture	No
Sexual Orientation	No
Religion or Belief	No
Gender Reassignment	No
Marriage and Civil Partnership	No
Pregnancy and Maternity	No
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Universal service.
What will the impact of the work being carried out be on usage/the stakeholders?	Ability to access first floor event /exhibition space for those who have difficulty using stairs.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	N/A
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Consultation with exhibitors and the Arts Council on improving access to event and exhibitions.
If any further data/consultation is needed and is to be gathered, please specify:	None
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	Ability to access first floor event /exhibition space and engage in events and activities which would otherwise be difficult to provide on the lower ground floor areas.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	Planning considerations on the visual impact of the works. Work with planners and conservation officer to agree works.
What actions do you plan to take to address any other issues above?	No actions <i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	March 2016 John Nelson



AGENDA ITEM: 5(p)

CABINET 17th March 2015

**Joint Report of: Assistant Director Community Services
Assistant Director Planning**

**Relevant Managing Directors: Managing Director (People and Places)
Managing Director (Transformation)**

Relevant Portfolio Holders: Cllrs M Forshaw/D.Sudworth

**Contacts for further information: Mr S Kent (Ext.5169)
(E-mail:stephen.kent@westlancs.gov.uk
Mr I Bond (Ext 5157)
(E-mail:ian.bond@westlancs.gov.uk**

SUBJECT: ROLL OF HONOUR, WAR MEMORIAL, CORONATION PARK

Wards affected: Scott, Derby, Knowsley

1.0 PURPOSE OF THE REPORT

1.1 To consider Phase II of the re-location of the Ormskirk War Memorial in Coronation Park, and approve the approach to be taken for adding the names of the servicemen to be included on the memorial plaques.

2.0 RECOMMENDATIONS

2.1 That the roll of honour engraved upon the new Ormskirk War Memorial shall be transcribed directly from the names on the memorial plaque recovered from the Comrades of the Great War Club.

2.2 That the inscriptions shown in Appendix 1, be added to the new war memorial.

3.0 BACKGROUND

- 3.1 Ormskirk Comrades club closed in 2008 and due to the site being sold for new development the Trustees asked the Council to relocate the war memorial from the previous site to a new location in Coronation Park, Ormskirk.
- 3.2 In 2011 Members approved the re-location and enhancement of the Ormskirk Comrades Club War Memorial to a new site within Coronation Park (Cabinet 17th January 2011 – War Memorial, Coronation Park, Ormskirk).
- 3.3 A subsequent planning permission was granted for the siting of the war memorial, including the construction of 2 no. 1.8m high memorial walls and the hard paving area around the memorial in May 2012 (application 2012/0379/WL3 refers).
- 3.4 Phase I of this re-location involved the re-location of the stone memorial, provision of new base plinth, and new reception area. These works were completed in October 2012.
- 3.5 Phase II of the works, involves the erection of the new stone walls to be engraved with the names of the fallen servicemen taken from the roll of honour. These works would also involve the addition of other appropriate inscriptions, installation of suitable lighting for the existing memorial, and additional seating. All of these works will be funded by the Trustees of the former Comrades Club.

4.0 CURRENT POSITION

- 4.1 Preparations are currently being made for the start of the Phase II works, and a crucial element of this is to determine the specifics of the engraving to go on the new memorial plaques and in particular agree the approach taken in relation to the names to be added.
- 4.2 The Comrades Club memorial includes a roll of honour which recorded the names of the fallen servicemen of World War I. Together with the stone memorial this forms the current record and should be the basis of the names to be engraved on the stone wall plaques. When the war memorial was re-dedicated in 2012 a scroll with the names included on the Roll of Honour was buried within the foundation of the new site.
- 4.3 The stone wall plaques and feature stone 'bands' within the existing paving will accommodate further appropriate inscriptions to add to the poignancy and impact of the memorial (see Appendix 1 – Ormskirk War Memorial Inscriptions).

5.0 PROPOSALS

- 5.1 War memorials are important public monuments which play a key role in our social history, as they commemorate the lives lost in wars and are a focus for our public remembrance in November each year.
- 5.2 On the whole the names of the fallen servicemen who fought in the wars are remembered on our memorials. They were people known by their families and by local people and communities in which, they lived. Introducing names to war memorials is a very sensitive matter and one which needs careful consideration.
- 5.3 The War Memorials Trust (WMT) advises that care needs to be taken to verify the research names added onto war memorials. The WMT does however recommend that the local community should be consulted before action is taken on proposals to add names onto a War Memorial.
- 5.4 **Option 1;**
- Given the sensitivity of the work it is felt the most appropriate way forward involves adding the list of names from the existing Roll of Honour. Together they form the existing memorial. This approach has the support of the Trustees of the Comrades Club.
- 5.5 This approach would have the benefit of requiring little or no further research and would be easy to implement within the timetable of an October 2015 completion.
- 5.6 The option would not preclude amendments/additions being made in the future. Space exists on the stone 'plaque' walls to add new names, including servicemen and women who may lose their lives in the future.
- 5.7 **Option 2;**
- The Council has received a suggestion from a member of the public that the Roll of Honour be extended to include further names of servicemen from the area who lost their lives in previous conflicts including World War 2.
- 5.8 The Council has an approved Protocol for amending or adding names to war memorials which was approved by members in July 2014.
- 5.9 It should be noted that the assessments required, under the protocol, are time consuming and that this may delay the implementation of the project.
- 5.10 Option 1 would not preclude the opportunity to add the names of the men who lost their lives in World War 2. This work, including the research, into the names to be added, could be carried out under a further phase (phase 3) once the stone plaques are in place.
- 5.11 Regardless of the option taken in respect to adding the names it is also proposed to engrave the two verses (verses three and four) from Laurence Binyons "For the Fallen" upon the new stone wall plaques and to engrave the two lines from the Kohima Epitaph within the existing stone banding in the paved

area leading up to the memorial (shown in Appendix 1 appended to this report). Appendix 2 shows a drawing of the positions of the different inscriptions on the memorial.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

6.1 The proposal further enhances the appearance and function of Coronation Park and provides for a further improved location for the Ormskirk war memorial. The proposal compliments the strategy and improvements already undertaken in the park and provides a suitably sensitive location for a locally important community memorial.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 Capital costs of the scheme (phase 2) are yet to be finalised but will be in the region of £25,000. These costs, plus project management costs, will be funded by the Trustees of the former Comrades Club.

7.2 The Council will also seek to secure from the Trustees of the former Comrades Club a contingency sum to cover any possible future costs associated with adding WW2 names to the memorial.

7.3 As with Phase 1 of the scheme the ownership of the facility will be taken on by the Council with a commuted sum for maintenance from the Comrades Club to cover a ten year period.

8.0 RISK ASSESSMENT

8.1 Establishing agreement now as to which names will be engraved upon the memorial would hopefully prevent future disagreements, and prevent delays which might jeopardise the aim of completing this phase of the scheme by October 2015.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix 3 to this report, the results of which have been taken into account in the recommendations contained within this report.

Appendices

Appendix 1 - Ormskirk War Memorial Inscriptions

Appendix 2 – Drawing showing the locations of the inscriptions

Appendix 3 – Equality Impact Assessment

Appendix 1

Ormskirk War Memorial Inscriptions

Stone plaques

For the Fallen written by Laurence Binyon

Verses 3 and 4

They went with songs to the battle, they were young,
Straight of limb, true of eye, steady and aglow.
They were staunch to the end against odds uncounted,
They fell with their faces to the foe.

They shall not grow old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning,
We will remember them.

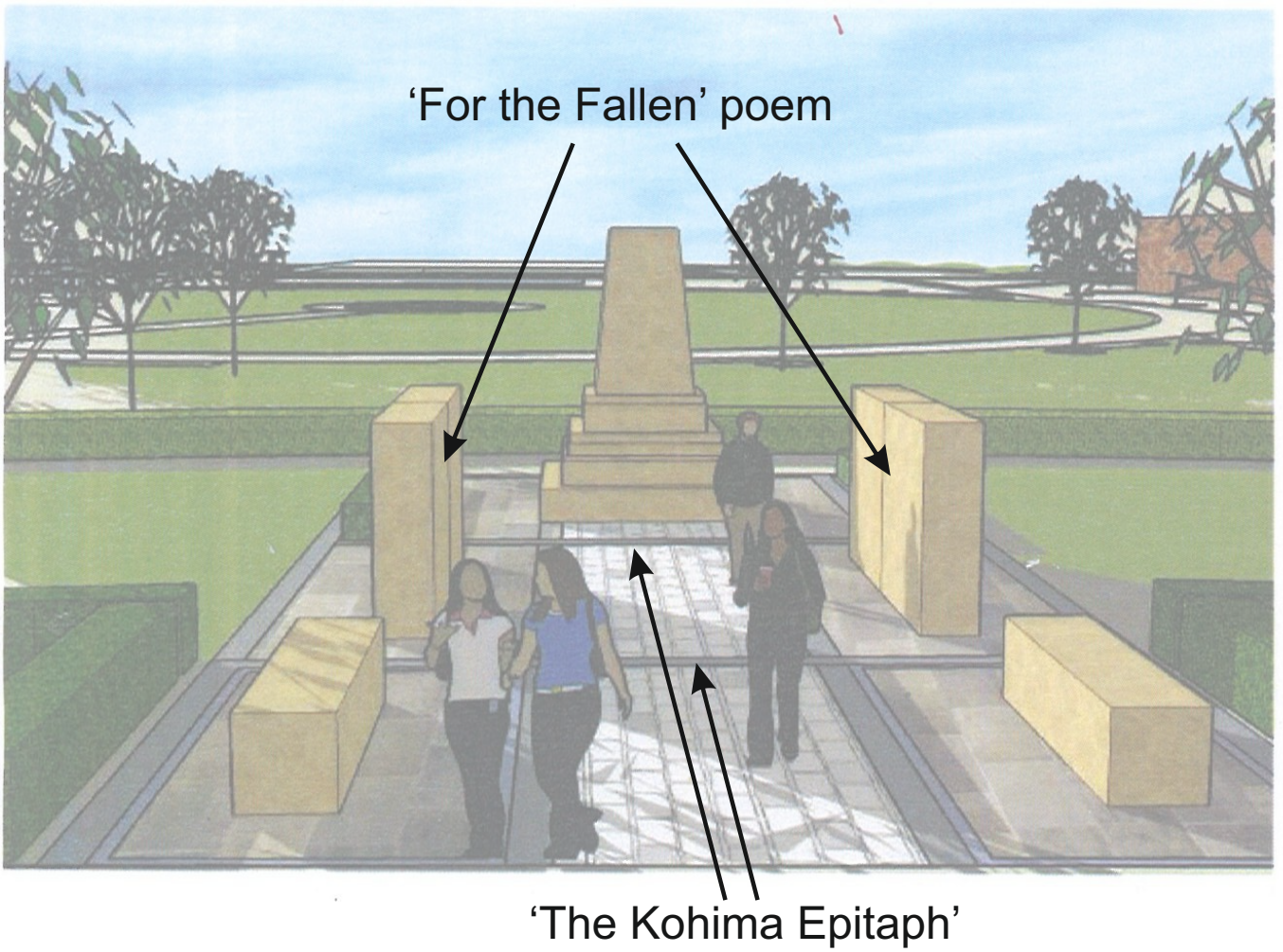
Floor inscriptions – two stone bands

The *Kohima Epitaph* - Burma by John Maxwell Edmonds

When you go home, tell them of us and say,
For your tomorrow, we gave our today.

Appendix 2

Location of Inscriptions



Appendix 3

Equality Impact Assessment Form



Directorate: People and Places	Service: Community Services
Completed by: S. Kent	Date: 10th December 2014
Subject Title: War Memorial, Coronation Park	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No* <i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No*
Is a commissioning plan or contract specification being developed:	No*
Is a budget being set or funding allocated:	No*
Is a programme or project being planned:	Yes
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	Agreeing the names to be engraved upon the Ormskirk War Memorial
<i>If you answered Yes to any of the above go straight to Section 3</i>	
<i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes/No* <i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Families and friends of the service personnel that fell during wartime
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	As above

Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
Age	Yes*
Gender	No*
Disability	No
Race and Culture	No*
Sexual Orientation	No*
Religion or Belief	No*
Gender Reassignment	No*
Marriage and Civil Partnership	No*
Pregnancy and Maternity	No*
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Families and friends of those that fell during wartime
What will the impact of the work being carried out be on usage/the stakeholders?	Correct inclusion of names on the memorial will create recognition for family and friends, and prevent upset.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	Some believe that this memorial should contain names of the fallen from elsewhere in the Borough and not just Ormskirk. It is important for them to realise the purpose of this memorial, and where others will be recognised.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	Liaison with local historians and war graves society.
If any further data/consultation is needed and is to be gathered, please specify:	None
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	More elderly members of the community may feel more sensitive towards this issue
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	Have a considered view of who should be recognised on this memorial, and being aware of where others not included would be recognised.
What actions do you plan to take to address any other issues above?	Make all aware of the names to be placed upon this memorial, well in advance of works being carried out.

	<i>If no actions are planned state no actions</i>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Summer 2015 S. Kent



AGENDA ITEM: 5(q)

CABINET: 17th MARCH 2015

Report of: Assistant Director Housing and Regeneration

Relevant Managing Director: Managing Director (Transformation)

Relevant Portfolio Holder: Councillor D. Westley

Contact for further information: Mrs P. Huber (Extn. 5359)

(Email paula.huber@westlancs.gov.uk)

SUBJECT: WEST LANCASHIRE ECONOMIC DEVELOPMENT STRATEGY 2015-2025

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To inform Members of the outcome of the consultation exercise in relation to the draft West Lancashire Economic Development Strategy and to agree the final version of the Strategy.

2.0 RECOMMENDATIONS TO CABINET

2.1 That the West Lancashire Economic Development Strategy 2015-2025 be approved for adoption, incorporating the proposed changes highlighted within Part 1 of Appendix A.

2.2 That the Assistant Director Housing and Regeneration be authorised to make minor amendments to the Strategy to correct any typographical or factual errors prior to the printing and implementation of the Strategy.

2.3 That the Assistant Director Housing and Regeneration be authorised to implement the West Lancashire Economic Development Strategy 2015-2025.

3.0 BACKGROUND

- 3.1 Following Cabinet approval of the Draft West Lancashire Economic Development Strategy in January 2015, the document has been through a series of consultation exercises.
- 3.2 During the six week consultation exercise which began on the 14th January 2015 and completed on the 25th February 2015 officers participated in a number of events to promote the consultation and encourage engagement. These events included a Business and Stakeholder consultation event, a business 'Start Up and Growth' event and an exhibition at Edge Hill University. In addition, the draft Strategy was presented to the West Lancashire Skills, Training and Employment Partnership (STEP), One West Lancashire Board meeting and a meeting of the Lancashire Economic Development Officers network.
- 3.3 A dedicated web page was created on the Council's website and details of the consultation exercise were sent to businesses on the Economic Regeneration's business database. Letters were also sent to the key businesses which the two Managing Directors have met, as well as stakeholders, partners, neighbouring local authorities and Local Enterprise Partnerships. Press releases were also issued to the media during the six week period.
- 3.4 Respondents were encouraged to complete an online questionnaire, although some paper copies were also available should individuals have preferred this method.
- 3.5 As a result of the six week consultation exercise, a total of 6 detailed comments were received, along with 11 further questionnaire responses.

4.0 CONSULTATION RESPONSES

- 4.1 All of the detailed responses to the consultation have been analysed and are provided for consideration at Appendix A. Appendix A has been divided into two parts, part 1 details the comments recommended for inclusion into the final Strategy and part 2 provides full details of all responses for noting and not recommended for inclusion.
- 4.2 Individual responses have been received from the larger stakeholders, including the Homes and Communities Agency, Lancashire County Council, the NHS Clinical Commissioning Group and the North & Western Lancashire Chamber of Commerce, who have all provided detailed comments. These are all detailed within Appendix A. The questionnaire results, of which there were 11, are all detailed within Appendix B.
- 4.3 Comments received have been positive and generally supportive of our strategic approach both from the completed questionnaires as well as the discussions and meetings that have taken place and the events officers have attended. The perception of Skelmersdale is a particular area in which comments have been made and useful suggestions around branding and building on the strengths of the town have also been made. An amendment to the Key Ask in relation to Skelmersdale Town Centre is suggested to make more of a reference to the implementation of the Skelmersdale Vision and the addition of a Key Ask to

strengthen the support delivery of new market and affordable housing in Skelmersdale has also been suggested and recommended for inclusion.

5.0 PROPOSALS

- 5.1 Upon adoption of the West Lancashire Economic Development Strategy 2015-25, the implementation of the action plan will commence during 2015, with progress reports provided to Members periodically on progress.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 The Draft West Lancashire Economic Development Strategy 2015-25 has developed eight core strategic themes that will drive economic growth forward through a series of Key Asks and a suite of actions. The purpose of the Strategy will be to increase the growth of the borough in terms of employment opportunities, availability of housing, raised skill and training levels of our local residents, support for indigenous businesses and attracting new investment through the delivery of significant economic regeneration activities. It is proposed that initiatives will be developed from the key actions that will advance equality of opportunities, in particular around the skills and training agenda.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The West Lancashire Economic Development Strategy 2015-2025 has been informed by the 2014 Economic Study and has been subsequently produced within existing resources. Resources of up to £150,000 over a 3 year period have been secured to support delivery.
- 7.2 Implementing all the actions will require additional resources, some of which will be from a range of partner organisations and some of the actions will require external funding to be secured.

8.0 RISK ASSESSMENT

- 8.1 The actions referred to in this report are covered by the scheme of delegation to officers and any necessary changes have been made in the relevant operational risk registers.

Background Documents

The following background documents (as defined in Section 100D (5) of the Local Government Act 1972) have been relied on to a material extent in preparing this Report.

<u>Date</u>	<u>Document</u>	<u>File Ref</u>
Sept 2014	West Lancashire Economy Study 2014	ED Study14

Equality Impact Assessment

There is a direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as an Appendix to this report, the results of which have been taken into account in the Recommendations contained within this report.

Appendices

Appendix A - West Lancashire Economy Strategy 2015-2025 Consultation Responses

Appendix B - West Lancashire Economy Strategy 2015-2025 Questionnaire Responses

Appendix C - Equality Impact Assessment

West Lancashire Economic Development Strategy 2015-2025 Consultation Responses

PART 1

Summary of consultation responses recommended for inclusion

Consultee	Response	WLBC Officer Response
Homes and Communities Agency	<p>a. Action Plan – Themes 1, 3, 4 and 6, agree to be a named partner.</p> <p>b. Add an additional Key Ask to Theme 3:- Support for the delivery of significant new market and affordable housing in Skelmersdale on allocated sites, including within the town centre.</p> <p>c. Add an additional Key Ask to Theme 4:- Deliver the Skelmersdale Vision Town Centre proposals for the regeneration of Skelmersdale. Delivering the Skelmersdale Town Centre regeneration project is a</p>	<p>No changes.</p> <p>HCA are a key partner. Agree to additional Key Ask, plus additional bullet point: Affordability is a particular concern for those on lower incomes, or those forming new households. With the Councils Housing Need Survey 2010 identifying an annual need of 214 affordable units. Add a further paragraph: In recognising housing as a driver for change we will seize upon opportunities that will enable housing growth within the context of West Lancashire Local Plan 2012-2027 including appropriate development in our smaller settlements and rural communities. This will be delivered in line with the Council Vision for housing which aims to see ‘The provision of good quality housing, in the right locations which also supports our economic and regeneration priorities, meets people’s changing needs and is situated within pleasant, safe and sustainable communities’.</p> <p>Agree to reference to the delivery of the wider Skelmersdale Vision proposals as part of a Key Ask and through merging the Key Asks which relate to the Night time Economy and Public Realm.</p>

	key priority for the Borough Council and we will continue to work with our partners to bring this important and significant regeneration proposal forward.	
West Lancashire Clinical Commissioning Group (WLCCG)	<p>a. Theme 3 - There is an opportunity to work collaboratively to; “Design in” health (including working with public health) and consider the opportunity and/or need to plan for additional health and wellbeing services (including working with NHS England and NHS Property Services).</p> <p>b. Theme 5 – Support enhancements to infrastructure that encourage healthy transport options such as walking and cycling, this could be maximised by considering the link in providing cycling and walking routes to employment sites, schools and colleges, recreational facilities etc.</p>	<p>Include additional text within Theme 3 to incorporate working collaboratively with WLCCG.</p> <p>Noted. The aim of the West Lancashire Wheel is to provide not only leisure opportunities, but access to employment and training. Text to be emphasised further within the Strategy to incorporate the points made.</p> <p>All the comments provided by WLCCG are important and they are a potential key partner in the delivery of many of the themes as they are linked to the health and wellbeing agenda. WLCCG will be approached to participate in the future STEP (Skills, Training and Employment Partnership) meetings due to their cross-cutting nature.</p>

PART 2

Summary of additional consultation responses **received for noting** or are **not recommended** for inclusion

Consultee	Key Points	WLBC Officer Response
Lancashire County Council	a. Lancashire County Council's Economic Development Service supports the draft West Lancashire Economic Development Strategy, Themes and Action Plans.	LCC are key partners. The support, referenced also in the comments below, is to be welcomed. Noted.

	<p>b. Following adoption of the Strategy, further action plan development will be required.</p> <p>c. Skelmersdale Leadership Board supported.</p>	<p>Noted.</p> <p>Noted.</p>
Marketing Lancashire	<p>a. Supportive of the Strategy, Themes and Action Plans. Recognising the importance of our diverse visitor economy, in particular our food and drink offer. Believe the relationship needs to be continually strengthened to maximise opportunities for the borough and are keen to continue to work with the Council.</p> <p>b. Key areas highlighted which align to their emerging Visitor Economy Strategy include, cycling and walking (WL Wheel); access to business support; rail connectivity; skills development and the Ribble Estuary Regional Park.</p>	<p>'Marketing Lancashire's' support is to be welcomed.</p> <p>Noted.</p> <p>Noted.</p>
Homes and Communities Agency	<p>a. Supportive of the Strategy, Themes and Action Plans</p> <p>b. Add an additional action to Theme 1 Action Plan. Appointment of a senior level Skelmersdale Regeneration Officer to drive the delivery of regeneration in Skelmersdale and to support the Skelmersdale Leadership Board, and amend the timescale for to 2015-2016.</p> <p>c. Themes 2 and 3 – new allocations in Green Belt locations require</p>	<p>Noted.</p> <p>Further work is required to determine whether there is an appetite for a Skelmersdale Leadership Board, who membership would consist of and its purposes. The appointment of a senior level officer and reducing the timescale would have a significant resource implication as engaging with businesses is a time-consuming exercise and a multi-partnership approach would be required. The timescale recommended within the draft Strategy should remain (2015-2017).</p> <p>The work Knowsley, St Helens and Wigan are doing is to meet current employment needs and “natural” growth, not anticipated demand i.e. from SuperPort, therefore Officers do</p>

	<p>major planning considerations. This will promote and target large scale employment developers and compete with neighbouring authorities who are currently considering Green Belt incursions. The draft strategy could be more proactive by developing a more detailed and ambitious timetable, otherwise West Lancashire is in danger of being left behind. The key ask or main priority identified within the draft strategy could also be strengthened by making clear that the potential allocation is in relation to large scale employment land.</p> <p>The Economy Study 2014 promotes Skelmersdale as a major housing growth location and asks that additional opportunities for significant further new housing growth be explored. The Study also advocates a greater focus on delivering further housing in smaller settlements and rural communities. The draft strategy does not reflect this suggestion as a potential way to tackle local housing need, affordability issues and provide a revenue source to cross subsidise town centre regeneration.</p>	<p>not believe West Lancashire is being left behind and therefore see no need to bring forward the timescales. In any event, even if work was to start on a new Local Plan immediately, it would not be adopted (and so beginning to deliver new employment land) until 2018/19 at the very earliest, therefore the timescales in the Strategy are appropriate and realistic.</p> <p>It would not be appropriate for the Economic Development Strategy to include quantities for housing or employment land, as there would be no evidential basis for these numbers. In preparing a Local Plan, it is necessary to prepare a range of studies, including ones that help to identify the “objectively-assessed need” for housing and employment land, and these must form the primary evidential basis for housing numbers and employment land targets. The Economic Development Strategy cannot do this and, were it to attempt to, would either just create a problem for the Local Plan further down the line or it would undermine the credence of the Economic Development Strategy (because the numbers would not be based in evidence).</p>
Newburgh Parish Council	Confirmed they had no comments.	Noted.
North & Western Lancashire Chamber of Commerce	<p>a. We support the overall vision of the strategy and look forward to working with the Council and other stakeholders to help deliver its aims and objectives.</p> <p>b. As the public sector faces increased challenges across the board the need for more effective relationships between business and local authorities are even greater. We therefore support the</p>	<p>Noted.</p> <p>Noted.</p>

	<p>creation of Skelmersdale Leadership Board, such an initiative, properly constituted and with meaningful powers, would be an important asset to the development of the town.</p> <p>c. We would like to see indicative budget costs for the “key asks” and, in particular, the infrastructure projects detailed in the Strategy. We would also like to see the likely sources of funding.</p> <p>d. The Strategy should acknowledge that whilst there are advantages in being linked with neighbouring LEP regions such linkages may well dilute the West Lancashire brand. This can lead to difficulties in understanding what decisions are needed for West Lancashire and, importantly, potentially limit the Council’s ability to take action needed for economic growth.</p> <p>e. We note that the Strategy acknowledges the opportunities to be derived from exploiting shale gas. The Chamber’s position is one which welcomes the economic benefits and opportunities shale gas will bring to the local business community and its employees (providing it is managed in a safe and responsible manner and is operated within a robust regulatory framework).</p> <p>f. The Strategy’s timeframe will cover several election cycles and therefore potentially subject to change depending on the political aims of the ruling party. Business confidence would be greatly enhanced if the aims of the Strategy were shared across the whole Council.</p>	<p>Noted.</p> <p>Noted, however there is strength and advantage to be gained for the West Lancashire economy by working more closely with the neighbouring LEP regions, therefore we see this as an important area of exploration for the Council.</p> <p>Noted.</p> <p>Noted. The development of the Strategy has involved discussion with various services across the Council, and it is therefore a corporate document.</p>
West Lancashire Clinical Commissioning Group	<p>c. Welcome and support the Strategy as it will contribute to improved health and wellbeing outcomes for our population.</p> <p>d. Theme 1 - Supportive of a Skelmersdale Leadership Board and</p>	<p>Noted.</p> <p>Noted.</p>

	<p>would welcome involvement and the consideration of the emerging objectives for such a Board to include acknowledgement of tackling health inequalities particularly in context of the social determinants of health. Having a Skelmersdale Regeneration Officer would be of benefit, with 'regeneration' being seen in the broadest sense with an understanding of the impact of this, as part of the wider determinants of health, on health and wellbeing outcomes. Would also like to see the voluntary, community, social enterprise sector have a place on the board.</p> <p>e. Theme 2 – Strongly support this theme due to evidenced link between health and employment.</p> <p>f. Theme 4 – Support the development of wet & dry leisure facilities due the importance of healthier behaviour, including fitness and diet. Important that there are equal access opportunities for Skelmersdale residents so that health inequalities do not increase. There is no reference to playgrounds/play facilities for younger children. Would also encourage consideration to be given to making new provision and town centres smoke free. Would support the consideration of working closer with colleagues in public health as there is good learning to be had regarding the night-time economy and harm from alcohol.</p> <p>g. Theme 6 – Support and welcome involvement. In terms of perception, WLCCG see a very strong sense of community within and across Skelmersdale and better understanding of these differences is important when developing a brand, as is the challenges and opportunities this brings. Residents need to be a keen partner in this Theme. There is a lot of green space in Skelmersdale, with potential opportunity to increase its usage and (linked to Theme 3) a number of housing areas seem tired, characterised by straight lines, sharp corners, poor street</p>	<p>Noted.</p> <p>Noted and information shared with appropriate Council service area, including for consideration in the forthcoming Leisure Strategy and town centre regeneration plans.</p> <p>Noted and will be picked up as part of any branding work for Skelmersdale. Further discussions will be had WLCCG should any branding work be initiated.</p>
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	<p>lighting and monochrome schemes, there may be opportunities to address this and make improvements to the environment. We have started a large piece of work to better understand the drivers of health-related attitudes, beliefs and behaviours of the residents of Skelmersdale that result in adverse health outcomes, therefore we see we have a role to play in supporting this theme utilising the assets and opportunities within Skelmersdale.</p> <p>h. Theme 7 – Support.</p> <p>i. Theme 8 – Support.</p>	<p>Noted.</p> <p>Noted.</p>
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West Lancashire Economic Development Strategy 2015-2025 Questionnaire Responses

- 1. Given the challenges facing Skelmersdale, do you believe a Skelmersdale Leadership Board is the right mechanism to support the regeneration of the area?**

Answer Choices	Responses	
Yes	80.00%	8
No	10.00%	1
Unsure	10.00%	1
Total		10

80% of respondents felt that a Skelmersdale Leadership Board is the right mechanism to support regeneration in the area and that this should be prioritised to help to focus and drive regeneration.

- 2. If so, who or what organisations would you like to see represented on the board and why?**

6 comments were received and suggestions included a mixture of private business, public sector and third sector representatives.

- 3. What do you see as the key objectives of a Skelmersdale Leadership Board?**

6 responses were received with the general consensus that the Board should drive forward regeneration within Skelmersdale with the overall aim of improving the image of the town.

- 4. Do you believe having a dedicated Skelmersdale Regeneration Officer within the Borough Council will help to support the delivery of regeneration in Skelmersdale?**

Answer Choices	Responses	
Yes	66.67%	6
No	0.00%	0
Unsure	33.33%	3
Total		9

67% of those who responded felt that a dedicated officer will help to support the delivery of Skelmersdale's regeneration, suggestions including how it is essential to quickly move things forward. The 33% who were unsure questioned what the role involves and if it would be cost effective.

- 5. How can the Council better engage with local businesses?**

6 suggestions were proposed and included visiting businesses in their place of work, business events/forums, a dedicated officer and through development of social media.

- 6. Do you believe that West Lancashire currently has sufficient land available to accommodate future employment growth in the borough?**

Answer Choices	Responses	
Yes	62.50%	5
No	0.00%	0
Unsure	37.50%	3
Total		8

A total of 8 responses were received with 62.5% of respondents stating they thought there is sufficient land available to accommodate future growth. Of the 37.5% who were unsure comments questioned the use of green space and ensuring that empty units should be filled first.

- 7. The West Lancashire Economy Study 2014 shows that Skelmersdale is a key employment location and supports around 43% of all the jobs in the borough. Taking this into account, do you think it is necessary to have additional employment land/premises available in Skelmersdale to help create more jobs?**

Answer Choices	Responses	
Yes	75.00%	6
No	0.00%	0
Unsure	25.00%	2
Total		8

- 8. Are you aware of any locations or signage that needs particular improvements within and/or on the edges of the employment areas, i.e. Pimbo, Stanley, Gillibrands or White Moss Business Park?**

A total of 5 comments were received all concurring that better signage is required, suggesting better signposting of business estates, general updating and maintenance and consider signage examples in other locations e.g. Warrington.

- 9. Do you agree that improving the existing former new town housing estates within Skelmersdale should be a priority for the Council?**

Answer Choices	Responses	
Yes	100.00%	7
No	0.00%	0
Total		7

100% of those who responded felt that improving the housing estates should be a priority for the Council.

- 10. Are there any particular areas within Skelmersdale that you believe should be prioritised for improvements?**

7 responses provided a wide range of suggestions including: Tanhouse, Birch Green, Digmaor, the Concourse and town centre. Some respondents felt that improvement of Skelmersdale as a whole is required.

- 11. How important to you is it to have a Wet & Dry Leisure Centre in Skelmersdale town centre?**

Respondents were asked to use a rating scale (1 being unimportant, 5 being important) to indicate the importance of a Wet & Dry Leisure Centre in Skelmersdale town centre.

	1 - Not Important	2	3	4	5 - Important	Total	Weighted Average
(no label)	14.29% 1	14.29% 1	14.29% 1	14.29% 1	42.86% 3	7	3.57

A total of 7 responses, 3 of which felt this was important.

12. Do you believe Skelmersdale town centre is the best location for a Wet & Dry Leisure Centre?

Answer Choices	Responses	
Yes	71.43%	5
No	14.29%	1
Unsure	14.29%	1
Total		7

71% of respondents felt that the town centre is the best location.

13. How important is it to you that Skelmersdale's night-time economy is improved?

Respondents were asked to use a rating scale (1 being unimportant, 5 being important) to indicate the importance of improving Skelmersdale's night-time economy.

	1 - Not Important	2	3	4	5 - Important	Total	Weighted Average
(no label)	0.00% 0	0.00% 0	14.29% 1	28.57% 2	57.14% 4	7	4.43

Of the 7 respondents 57% felt that it was important. The mean score was 4.43 which is just below the important category.

14. How important is it to you that we have good quality and attractive public realm within Skelmersdale town centre?

Respondents were asked to use a rating scale (1 being unimportant, 5 being important) to indicate the importance of having good quality public realm in Skelmersdale town centre. 83.33% felt that it was important.

	1 - Not Important	2	3	4	5 - Important	Total	Weighted Average
(no label)	0.00% 0	0.00% 0	0.00% 0	16.67% 1	83.33% 5	6	4.83

15. Are you supportive of a rail station in Skelmersdale town centre?

100% of respondents stated that they are supportive of a rail station in Skelmersdale. Qualitative comments stated that this will be a vital component in the regeneration of Skelmersdale.

Answer Choices	Responses	
Yes	100.00%	7
No	0.00%	0
Unsure	0.00%	0
Total		7

16. Do you believe that a rail station in Skelmersdale would improve the image and perception of the town?

75% of respondents felt that the rail station would improve the image of the town. One respondent stated that Skelmersdale's offer needs to be improved to make people want to come for leisure.

Answer Choices	Responses	
Yes	75.00%	6
No	0.00%	0
Unsure	25.00%	2
Total		8

17. Would you be supportive of an off-road cycling/walking route?

100% of respondents said they would be supportive of an off-road cycling/walking route that connects major settlements.

Answer Choices	Responses	
Yes	100.00%	7
No	0.00%	0
Total		7

18. What purpose would you use a cycling/walking route for?

Respondents could select more than one answer and a total of 8 people made 17 selections with leisure and visiting other towns and villages being the most popular answers. Only one respondent said they would not use the routes.

Answer Choices	Responses	
Leisure (cycling/walking)	75.00%	6
Commuting to work	37.50%	3
Getting to school/college/university	25.00%	2
Visiting town centres and associated facilities	62.50%	5
Would not use	12.50%	1
Total Respondents: 8		

19. Do you believe that improved rail transport in and out of West Lancashire is important to the overall growth of the economy?

85.71% of respondents believe that improved rail transport is important to the economy's overall growth with qualitative responses saying this is vital and better connections and trains are needed.

Answer Choices	Responses	
Yes	85.71%	6
No	0.00%	0
Unsure	14.29%	1
Total		7

20. What do you see as the main issues with the current rail provision?

A range of qualitative responses were received with respondents feeling parts of the borough are badly connected with lines that don't interlink (e.g. Northern Rail and Mersey Rail), the northern parishes are disconnected and Ormskirk is not directly connected to Southport, a missed opportunity for leisure. Rolling stock needs improvement and the rail service is outdated and expensive. Skelmersdale rail link is vital.

21. Are you supportive of a new brand for Skelmersdale to help develop a sense of pride in the town and a marketing tool to promote the town?

71% were supportive of a new brand for Skelmersdale. 1 respondent unsure and 1 not supportive.

Answer Choices	Responses	
Yes	71.43%	5
No	14.29%	1
Unsure	14.29%	1
Total		7

22. If yes, would you be interested in becoming an ambassador for Skelmersdale?

2 respondents stated they were interested and 2 who would like to but could not commit the time.

23. What do you see as the strengths of Skelmersdale that should be taken into consideration when developing a brand?

Some quality responses were received, including making Skelmersdale a leading place for "something" e.g. manufacturing, construction etc. and championing our strengths. Respondents believe that the quality of our industry should be reflected in the brand.

24. Do you think there are negative perceptions of Skelmersdale, and if so, what do you believe these to be?

100% of respondents feel there are negative perceptions of Skelmersdale with crime, housing stock and the town centre being the main issues. Respondents feel the town has been neglected.

Answer Choices	Responses	
Yes	100.00%	7
No	0.00%	0
Unsure	0.00%	0
Total		7

25. In your opinion, is West Lancashire being promoted adequately as a visitor/tourism destination at the present time?

There was some uncertainty around the visitor offer with 67% of respondents unsure about how it is promoted. Some believed that it was taken care of by a 'tourism department' and thought they had seen adverts in the local press.

Answer Choices	Responses	
Yes	16.67%	1
No	16.67%	1
Unsure	66.67%	4
Total		6

26. What do you see as the borough's visitor/tourism offer? For example; is it the borough as a whole as a place to visit and spend leisure time, or should we be focusing on individual attractions, towns and villages?

All 3 qualitative responses received concurred that the visitor offer is different things as the borough is so diverse.

27. There are several possible ways to improve secondary school provision in Skelmersdale; please indicate which you think is the most appropriate:

Respondents could select more than one category and 6 people made a total of 10 selections with improved teaching standard and school buildings being equally important. Qualitative replies stated that the current school buildings did not provide the best environment conducive to learning.

Answer Choices	Responses	
New school buildings	66.67%	4
Improved teaching standards	66.67%	4
Better liaison with Edge Hill University / West Lancashire College	33.33%	2
Total Respondents: 6		

28. Do you have a problem recruiting skilled staff within your own organisation or business? If yes, do you have any views as to why this may be the case?

60% of respondents stated they did not have a problem recruiting skilled staff. 1 respondent stated that they struggled to recruit HGV drivers.

Answer Choices	Responses	
Yes	40.00%	2
No	60.00%	3
Unsure	0.00%	0
Total		5

29. There is a great deal of good partnership working taking place across the borough to help young people develop the necessary skills and qualifications to enable them to secure employment. Do you have any ideas as to how we can better equip young people for employment once they leave school, college or university?

Two qualitative responses were received and they both stated that they felt students needed placements in businesses to increase their practical skills to help them become work ready.

30. As a local business, would you be interested in working with other organisations such as the Borough Council, University, College or schools in developing ideas and projects that would support the skills agenda?

75% of respondents were unsure and one stated that they would be interested in the skills agenda.

Answer Choices	Responses	
Yes	25.00%	1
No	0.00%	0
Unsure	75.00%	3
Total		4

31. Do you consider the proposed Strategic Themes to be sufficient to meet the long term needs of West Lancashire's economy?

Two responses were received and both respondents felt the themes were sufficient.

Equality Impact Assessment Form



Directorate: Housing & Regeneration	Service: Economic Regeneration
Completed by: Paula Huber	Date: 26.02.15
Subject Title: West Lancashire Economic Development Strategy 2015-2025	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	<i>*delete as appropriate</i>
Is a service being designed, redesigned or cutback:	No
Is a commissioning plan or contract specification being developed:	No
Is a budget being set or funding allocated:	Yes
Is a programme or project being planned:	No
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	Yes
Details of the matter under consideration:	Adoption of the West Lancashire Economic Development Strategy 2015-2025 following consultation.
<i>If you answered Yes to any of the above go straight to Section 3</i> <i>If you answered No to all the above please complete Section 2</i>	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	<i>*delete as appropriate</i>
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): <i>If you answered Yes go to Section 3</i>	Implementation of the Strategy will see the economic growth of the Borough, including attracting investment, supporting indigenous businesses and developing initiatives to advance the equality of opportunity through skills development, volunteering, training & work experience opportunities.
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: <i>You do not need to complete the rest of this form.</i>	

3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	<p>The Strategy is a cross-cutting document covering transport, skills and education, employment, investment and businesses, therefore the key stakeholders include residents, public sector partners, community & voluntary sector, the college & university, business groups/networks & other local authorities.</p> <p>The consultation exercise was made available to all of the above stakeholders.</p>
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out?	<i>*delete as appropriate</i>
<p>Age</p> <p>Gender</p> <p>Disability</p> <p>Race and Culture</p> <p>Sexual Orientation</p> <p>Religion or Belief</p> <p>Gender Reassignment</p> <p>Marriage and Civil Partnership</p> <p>Pregnancy and Maternity</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	N/A
What will the impact of the work being carried out be on usage/the stakeholders?	<p>All responses to the consultation exercise have been taken on board and where appropriate incorporated into the Strategy. In terms of individual actions, it is difficult at this stage to answer this question however this will be picked up when individual actions within the Action Plan are taken forward following anticipated adoption by Cabinet in March 2015.</p>
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be	<p>N/A</p> <p>This question will be more relevant once</p>

affected by the proposals?	implementation of the actions is being considered.
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	<p>A six week consultation exercise was undertaken, including attendance at external events, meetings and holding a specific business and stakeholder event to gather views and opinions on the draft Strategy.</p> <p>A full Economy Study was also undertaken in 2014 which informed the development of the Strategy.</p>
If any further data/consultation is needed and is to be gathered, please specify:	Nothing further at this stage.
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	For those who participated in the consultation we have incorporated their views and needs into the design of Council services where appropriate. By working with partners involved in the STEP group (which includes Job Centre Plus, WLCVS, Young Peoples Service) we are able to reach out to wider sections of the community with projects and initiatives which will positively impact on those with particular characteristics.
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	N/A
What actions do you plan to take to address any other issues above?	<p>As per Question 5 above.</p> <p><i>If no actions are planned state no actions</i></p>
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	The consultation exercise completed on the 25 th February 2015, all responses have been analysed and where appropriate have been incorporated into the Strategy which is put before Cabinet for adoption in March 2015.